

## **Assessment and Opinion Concerning the African Elephant “Nosey”**

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**Introduction-** I have been asked and I am willing to give my opinion regarding the health, standard of care, and living conditions for a 30 plus year old, wild-caught female African elephant (*Loxodonta africana*) named Nosey, exhibited by Hugo Liebel. I base my opinion on thirty years of clinical experience in zoo and wild animal medicine, while in addition focusing the past fourteen years on animal welfare cases involving elephants and other species. Following graduation from veterinary school and two years in the US Army Veterinary Corps, I completed internships in small animal medicine and surgery at the Henry Bergh Memorial Hospital of the American Society for the Prevention of Cruelty to Animals in New York City and in zoological medicine and surgery at the Smithsonian Institution, National Zoological Park in Washington, D.C. I became a diplomat of the American College of Zoological Medicine (ACZM) in 1993. The ACZM is the body that administers the certification examination to qualify specialists in zoological medicine. During a twenty-nine year period as an associate veterinarian with the Zoological Society of San Diego (ZSSD), I worked with Asian elephants (*Elephas maximus*) as well as African elephants under both free contact and protective contact management programs, and during periods when the ZSSD hired outside contractors providing ride elephants at the ZSSD.

In reviewing this case I have examined 71 photographs made of Nosey during the years from 2004 thru 2013 to include an additional 16 photographs from a 2004-09-15 United States Department of Agriculture (USDA) Inspection report. A further review consisted of an analysis of a file of 93 photographs and 9 video clips made of Nosey on February 15, 2014 which provided critical new information from which to add increased weight to my opinion in this case. Finally I have reviewed up to twelve USDA Inspection reports and associated documents from years 1993 to 2013.

**Findings-** Following a comprehensive review of the photographs, videos, inspection reports and associated documents I find evidence of a grossly substandard husbandry program consisting of long standing chaining practices resulting in calloused skin and scarring on the lower legs of Nosey. The practice of chaining as documented with Nosey effectively limits normal exercise, and range of motion of limb joints, which can result in early onset of arthritis and degenerative joint disease. The photographs and reports reveal Nosey confined to a restricted space confined in a deficient transport trailer and standing in fecal waste, water, and urine. This is not considered a standard of care which reflects methodologies now recognized as appropriate with regard to elephant tethering or chaining practices, primary enclosure space, and species typical biology and behavior. See Photos 1-13, and below.

*Long-standing chaining practices resulting in calloused skin and scarring.*



*April 9, 2009*



*February 9, 2013*



*June 29, 2013*



There is a consensus in the veterinary community that maintaining elephants on the type of surface revealed in the photographs, lack of exercise, and standing in body waste is a standard of care that causes serious foot and musculoskeletal problems. All three of these factors are present and have been documented for over a decade in the photographs and USDA Inspection reports.

Consideration must be given to the conditions observed in the USDA Inspection reports which reveal a standard of care for Nosey that the relevant scientific community has concluded typically causes injury and harm. These reports and images depict chronic diarrhea (photos 14-16), improper nutrition and sanitation practices, weight loss, eye infections (photo 17), unmaintained pedicure tools (photo 18), foot abnormalities (photos 20-23), and chronic, long-standing, unmanaged hyperkeratosis, and dermatitis reported in 1993 and noted in photographs during a USDA Inspection in 2004 (photos 14, 19, 23-29), a condition which continues to the present day.

Elephants, African elephants in particular, undergo a constant process of shedding or removing the buildup of dead skin. In the wild elephants rub on trees, termite mounds, bathe and take dust baths to accomplish this task. In captivity elephants rely on good husbandry practices to provide daily baths and rubbing posts or trees and the use of manual bristle brushes to remove the annular and elevated appearing thickened skin (photos 30-35). Excessive buildup of this dead skin provides places for fecal bacterial contamination (photos 36-37) and scalding urine to accumulate on the legs and feet in particular resulting in dermatitis and foot sole separation as noted previously in the 2004-09-15 USDA Inspection photos.



*Buildup of thickened, dead skin, February 9, 2013*



*Buildup of dead skin provides places for fecal bacterial contamination, February 9, 2013*

Further images reveal a free contact management practice utilizing the bullhook (photo 60, [video 1](#), [video 2](#)), which, coupled with inadequate safety practices (photo 38), will most certainly lead to Nosey seriously injuring another handler, or killing a handler, a circus patron, or child during an elephant ride. The use of the bullhook on elephants has become a source of controversy; however, the fact is that when baby elephants are trained using the bullhook there is a progression of training whereby, whether there is application of or the subsequent threat or visual presence of the bullhook, the elephant is reminded of the discomfort and pain bullhooks can cause and know they must comply. The bullhook despite its many uses or applications remains a basic potent symbol to an elephant to reinforce authority and dominance by its tactile cueing.



*Bullhook use and inadequate safety measures, February 15, 2014*



Circumstances of captivity such as those which Nosey has experienced cause aberrant behavior. It is believed and has been demonstrated—and I have experienced—that captive elephants are capable of postponing retaliations against perceived improper care and are capable of acts of retribution which can result in aggressive acts of outrage. It is important to recognize that out of the need to maximize the occupational safety of elephant care professionals at institutions accredited by the Association of Zoos and Aquariums (AZA), the AZA Board of Directors has required that by September 1, 2014, its member institutions must put in place and implement use of adequate infrastructure to manage and care for elephants with barriers and/or restraints in place that provide for employee safety. In effect, with limited exceptions, AZA institutions have moved from free contact management practices with elephants, such as that used with Nosey, to protected contact husbandry practices.

## **Discussion and Opinion**

USDA inspection reports regarding Nosey document serious, willful, and chronic violations of the Animal Welfare Act with repeated noncompliance with the regulations and standards governing veterinary care, handling, housing, and husbandry. Further, the reports show that Liebel has failed to handle Nosey in a manner that would not cause behavioral stress, physical harm, or unnecessary discomfort. These handling practices fail to minimize the risk of harm to the elephant, or to ensure the safety of the public.

It is not surprising that Nosey has already displayed aggression and attacked a handler on at least one occasion. It is critically important to understand that captive elephants can display idiosyncratic behavioral patterns, undergo mood swings, accentuate aberrant behavior, and test the limits of authority. Abuse or mistreatment of an elephant which causes physical harm can be overt such as some previously well-publicized cases, (e.g. as documented in the case of Rose-Tu where a keeper at the Portland Zoo used a bullhook to inflict over 150 puncture wounds on an elephant, or in the video footage showing elephant handlers in the Carson and Barnes Circus beating three Asian elephants, or in the video showing trainers from Have Trunk Will Travel beating and intimidating their Asian elephants); or, abuse can be more subtle, with resultant deterioration of the health of an elephant which is slower to surface, caused by the cumulative effects of the standard of care and living conditions of an elephant over her lifetime.

Based upon my professional qualifications and experience, training, and study of the photographs, and relevant records provided for review in this case, I feel adamant in arriving at the opinion that the female African elephant known as Nosey has undergone long term suffering and abuse and should be surrendered immediately, and without delay. **This is the worst, most prolonged, documented example of an uncorrected case of suffering and abuse in an elephant I have ever reviewed.**

During the last 30 years much has been learned concerning the health and behavior of elephants in captivity which has changed the way they are managed today, and in the near future. It is reasonable to predict that Nosey's health will progressively worsen if the current standard of care is perpetuated.

The AZA Standards on the issue of group size for female elephants in captivity are consistent with another leading standard – the *Elephant Husbandry Resource Guide* (Olson, D. ed. 2004) which states:

Due to the social nature and behavior of elephants, it is recommended that elephant holding facilities maintain a minimum of three same-species females, and all facilities establishing new groups of elephants should strive for groups of the same species.

Elephants are social animals. Wild elephants live in complex social family groups. Female elephants particularly form close-knit groups of relatives. They communicate vocally using rumbles, trumpets, and screams; through odors, secreted from their temporal glands; and through touch. It is inappropriate in the field of care and management of captive elephants to keep a female alone. The lack of an elephant companion is causing Nosey to suffer. This elephant should be relocated to a facility appropriately suited to provide her with humane and proper care to include a protected contact program, for her safety and the safety of handler and keeper personnel, and the capability to afford her the opportunity to socialize with other elephants.

The video clips and photographs made on February 15, 2014 reveal a standard of care that is forcing Nosey into providing rides to patrons. The videos show Nosey walking in circles, in what appears to be an expressionless, dazed stupor. In these videos Nosey consistently displays an indifferent and dispirited attitude. Instead Nosey should be showing curiosity, and interest in smelling, investigating or exploring her surroundings. Photographs of her face reveal her eyes partially closed (photos 39-59), walking as if she were half-asleep ([video 1](#), [video 2](#)), dull and in a state of mental numbness or psychological deterioration. Roocroft, A. and Zoll, D.A. in their text, *Managing Elephants* (1994) describe the abused elephant as becoming, “but a sorry, grotesque, zombie-like approximation of its potential beauty and usefulness.” In my opinion this description applies to the African elephant known as Nosey.



*Nosey appears to be in an expressionless, dazed stupor, February 15, 2014*

My understanding of the federal statutes that would apply to this case indicate that:

- “Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, . . . behavioral stress, physical harm, or unnecessary discomfort.” 9 C.F. R. § 2.131(b)(1).
- “Animals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being.” 9 C.F.R. § 2.131(d)(1).
- “During 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.” 9 C.F.R. § 2.131(c)(1).
- “Each . . . exhibitor shall establish and maintain programs of adequate veterinary care that include . . . [t]he use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries[.]” 9 C.F.R. § 2.40(b)(2).

The state of Florida, in which Liebel resides, prohibits the acts that “result[] in the . . . excessive or repeated infliction of unnecessary pain or suffering” or that “unnecessarily . . . torment[]” any animal. Fla. Stat. Ann. § 828.12.

It is my opinion that in the assessment I have provided in the case of the African elephant named Nosey, all of these statutes or laws have been violated.