

May 3, 2023

Robert M. Gibbens, D.V.M.
Director, Animal Welfare Operations
USDA-APHIS-Animal Care

Via email [REDACTED]

Re: Request for Investigation of West Coast Game Park Safari for Making False Statements to the USDA

Dear Dr. Gibbens:

I'm writing on behalf of PETA to urge the U.S. Department of Agriculture (USDA) to investigate [West Coast Game Park Safari, Inc.](#) ("West Coast Game Park Safari")—a roadside zoo located at 46914 U.S. Hwy 101, Bandon, OR 97411—for making false statements to the USDA, and to initiate license termination proceedings, and refer this matter to the U.S. Department of Justice for criminal prosecution.

Animal Welfare Act (AWA) regulations allow the USDA to terminate an AWA license "at any time for any reason that a license application may be denied pursuant to [9 C.F.R.] § 2.11" 9 C.F.R. § 2.12. Under 9 C.F.R. § 2.11, the USDA may deny a license to any applicant who "[h]as made any false or fraudulent statements or provided any false or fraudulent records to the [USDA]" 9 C.F.R. § 2.11(7). Such statements may also constitute a federal crime. Specifically, "whoever, in any matter within the jurisdiction of the executive . . . branch of the Government of the United States, knowingly and willfully . . . makes any materially false, fictitious, or fraudulent statement or representation . . . shall be fined . . . [or] imprisoned not more than 5 years" 18 U.S.C. § 1001(a)(3).

On February 3, PETA submitted a complaint to the USDA asking it to investigate West Coast Game Park Safari for allowing guests to engage in direct contact with a juvenile jaguar and brown bear. Ex. 1, PETA Complaint and Photo Sheet (Feb. 3, 2023). PETA submitted a second complaint on February 16, including additional evidence of direct contact with the same animals on February 5.¹ Ex. 2, PETA Complaint (Feb. 16, 2023). On March 9, the USDA inspected the roadside zoo and cited it for handling violations relating to the jaguar and bear. Ex. 3, USDA Inspection Report for West Coast Game Park Safari (Mar. 9, 2023). During the inspection, "[f]acility representatives stated that public petting of the juvenile bear and jaguar hadn't taken place since about 12/25/22 . . . [,]" according to the March 9 inspection report. *Id.*

Since its February 16 complaint, PETA has obtained new photos and videos that show West Coast Game Park Safari employees allowing members of the public to engage in direct contact with a jaguar and bear as recently as March 7, two days before the USDA's inspection:

¹ The videos referenced therein were sent directly to PETA, but were later posted to Facebook on February 8 with a statement explaining that they were taken "this past weekend," indicating that public contact with the jaguar and the bear occurred on February 4 or 5. Ex. 4, [REDACTED] Facebook Post.

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- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

- **March 7, 2023:** Two PETA Foundation staffers visited the roadside zoo and personally observed and took photos and a video depicting four customers entering an enclosure with and petting a jaguar. Ex. 5, PETA Foundation Staffer Photos (Mar. 7, 2023).
- **March 7, 2023:** [REDACTED] posted to Facebook a photo and a video² showing customers petting a jaguar and a bear. Ex. 6, [REDACTED] Facebook Post (Mar. 7, 2023).
- **March 4 or 5, 2023:** [REDACTED] uploaded to YouTube a video³ showing West Coast Game Park Safari allowing three customers to enter an enclosure with and engage in direct physical contact with a bear and a jaguar.⁴
- **February 18, 2023:** [REDACTED] posted to Facebook several photos showing two West Coast Game Park Safari customers entering an enclosure with and petting a jaguar. Ex. 7, [REDACTED] Facebook Post (Feb. 18, 2023).
- **January 19 and 20, 2023:** [REDACTED] posted two videos to Facebook showing customers entering an enclosure to pet a jaguar. The first video⁵ shows [REDACTED] petting the big cat, and the second video⁶ shows two more customers engage in the same conduct.

Indeed, [West Coast Game Park Safari's website](#) still advertises these encounters during which “visitors . . . are able to get up close and personal with . . . [t]igers, [l]ions, [and b]ears . . .” and features a photo of visitors petting big cats. Ex. 8, West Coast Game Park Safari Website.

These photographs and videos demonstrate that the facility representative falsely stated to the USDA official that inspected the roadside zoo on March 9 that public petting of the bear and jaguar had not occurred since December 25, 2022, in an apparent effort to evade civil and criminal liability under both the AWA and the Big Cat Public Safety Act (BCPSA).⁷ The BCPSA went into effect on December 20, 2022.

Accordingly, PETA urges the USDA to investigate West Coast Game Park Safari for making false statements to the agency; initiate license termination proceedings pursuant to 9 C.F.R. § 2.12; and refer the roadside zoo’s wrongful conduct, including false statements made by the roadside zoo and illegal public contact with big cats, to the U.S. Department of Justice for criminal prosecution pursuant to 18 U.S.C. § 1001(a)(3) and the BCPSA, Pub. L. No. 117-243, 136 Stat. 2336 (2022).

Very truly yours,



Jonathan Morris
Counsel, Captive Animal Law Enforcement

cc: Natalie K. Wight, U.S. Attorney for the District of Oregon [REDACTED]

Attachments

² The video is also available at [REDACTED]

³ The video is also available at: [REDACTED]

⁴ This video was posted on March 11 but taken on March 4 or 5, according to a Facebook post made by [REDACTED]

⁵ The video is also available at: [REDACTED]

⁶ The video is also available at [REDACTED]

⁷ PETA also submitted a complaint to the U.S. Fish and Wildlife Service on March 21 alleging violations of the BCPSA.