

July 13, 2026

Bernadette Juarez, J.D.
Deputy Administrator
USDA/APHIS/Animal Care

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

Re: Request for Investigation of The Preserve for Apparent Violations of the
Animal Welfare Act (AWA)

Dear Ms. Juarez,

I'm writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) investigate Gary Johnson, dba "The Preserve" (license no. 74-C-1095), for the following apparent Animal Welfare Act (AWA) violations that I observed and documented on June 7, 2026, which are detailed in the attached appendix:

- Becky's toenails and cuticles were overgrown, indicating poor foot care and putting her at risk of painful foot and joint conditions. (See Photos 1–3 and Video 1.)
- The bathing encounter handler was distracted, not consistently monitoring guests while they had direct contact with Rosie. (See Video 2 and Video 3.)
- During photo encounters with three elephants, trainers stepped away to be out of the frame of each photo, removing themselves from the immediate proximity while guests were allowed to touch and even hold the elephants' powerful trunks. (See Video 4 and Video 5.)
- Sophie, who transferred to The Preserve in August 2024 from a circus, was reportedly not used during the tour because she was "still learning" their encounter routine. The handler said she was likely napping, which another trainer said she is "almost always" doing. (See Video 6 and Video 7.) Healthy elephants do not spend substantial time resting, and the explanation for Sophie's whereabouts raises serious questions about her welfare status.

Please promptly inspect all elephants at The Preserve and ensure that they receive adequate veterinary care from a qualified veterinarian with expertise in elephant medicine and husbandry and are otherwise handled in accordance with the AWA. Please also hold the licensee and any other responsible parties fully accountable for any violations you discover during your investigation.

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,



Debbie Metzler, M.S.
Managing Director of Captive Wildlife
Captive Animal Law Enforcement
[REDACTED]

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Appendix

a. Becky in Apparent Need of Footcare for Overgrown Cuticles and Toenails

I observed and documented that Becky had overgrown nails and cuticles on all four feet, with the front feet most affected. (*See* Photos 1–3 and Video 1.) The condition of Becky’s feet was especially concerning because The Preserve includes a foot care demonstration during their public tour, showing guests how they trim and file nails to ensure they stay maintained. Kitty and Rosie did not show the same issues as Becky, so it begs the question why Becky is apparently not receiving proper foot care. Wildlife veterinarian Dr. Mason Payne reviewed the photos and video and opined that:

All cuticles are moderately to severely overgrown, with the front feet being the worst. The cuticles are long enough to where they could trap debris and increase the risk of infection. Trimming cuticles often must be done more gradually than the nails and footpads, since they are more innervated and sensitive to over-trimming. However, I don’t see any evidence that the cuticles have been trimmed recently, and at this length, they should be trimmed every week or two to slowly work them down. The nails are also mildly to moderately overgrown, which is the more egregious condition. Overgrown nails can be painful, increase the risk of nail fractures, and cause abnormal weight-bearing, increasing the risk of arthritis and lameness.

During the demonstration, trainers said that foot care is done once a month. Becky’s feet indicate that this is not sufficient, and consequently, she is likely experiencing pain. Please inspect Becky and her veterinary records in accordance with 9 C.F.R. § 2.40. Her nails and cuticles need to be properly evaluated by a qualified veterinarian before their condition worsens.

b. Elephants Not Under Direct Supervision During Public Contact Encounters

During a bathing encounter with Rosie, guests were permitted to approach Rosie, scrub her with a soapy brush, and touch her back and top of head while posing for a photo op. While a few trainers were mingling about, primarily assisting the guests with the scrub brush or taking photos with the guests’ phones, there were several times when no one was watching Rosie’s actions or in a position to be able to immediately respond if needed. (*See* e.g., Video 2 and Video 3, when the main handler is seen chatting with other staff and not watching Rosie or the guests having direct contact with her.)

At the end of the tour, all three elephants used for encounters were lined up and guests were permitted to have their photo taken with the group. Each elephant did appear to have an assigned handler, but because trainers would step away from the animals while the photos were being taken, the handlers were not beside the elephants for the duration of this activity. Rosie was made to pose between Kitty and Becky, and since the handler assigned to her was also standing to the side, she was much too far away to act quickly if needed. Guests repeatedly had contact with, and even grabbed, the elephants’ trunks during these photos. (*See* Video 4 and Video 5.)

Pursuant to 9 C.F.R. § 2.131(c)(1) and (d)(3), “[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 “dangerous animals such as ... elephants must be under the direct control and supervision of a knowledgeable and experienced animal handler.”

Elephants pose a significant danger to humans due to their sheer size, strength, and intelligence. It's particularly hazardous for members of the public to be near elephants' heads and trunks, which the animals may use to swiftly and suddenly knock, throw, or crush someone without warning—responses to stressors that are completely within their nature and should be expected. During the presentation, The Preserve's trainers discussed how elephants use their incredible trunk strength to uproot trees and can even flip cars and trucks. To demonstrate this strength, they made Rosie lift one of the staff members up off the ground and commented on how easy it was for her to do so. Dangerous interactions with captive elephants have resulted in [dozens of human deaths and catastrophic injuries in the U.S.](#), and the USDA even warns its own inspectors that “you are putting yourself at risk when you go near an elephant, even if the handler appears to be exceptionally competent,” and requires them to remain at least eight feet away from an elephant's trunk at all times and to “always have an escape route planned.”¹

The handlers' actions during these public encounters and the lack of adequate public barriers are consistent with a pattern of The Preserve's trainers failing to pay close attention to elephants when the public is present and allowed to have direct contact with these dangerous wild animals. The licensee has been previously cited for these violations.² Further, the USDA has plainly stated that elephant handlers “must be positioned so that they can immediately intervene should the need arise. The facility must take steps to ensure the safety of all members of the public. Trained handlers must be present *at or near the head* of each elephant in any type of public contact. This includes feeding, grooming, and photo opportunities.”³ [emphasis added.]

c. Elderly Elephant Sophie Possibly Unwell

According to an Oklahoma Certificate of Veterinary Inspection, an elephant named Becky was transferred on or about August 9, 2024, from Carson & Barnes Circus to The Preserve. (See Exhibit 1.) This elephant was born in the early 1970s and is not the same animal also named Becky who was already in The Preserve's possession, as she was born in the late 1980s. The Preserve did not publicize this elephant's arrival but started posting videos on social media in fall of 2025 of public encounters with “Sophie,” who upon comparison of past visuals from Carson & Barnes Circus, was confirmed to be the elephant formerly known as Becky.

On my June 7 visit, I was told that there were four elephants at The Preserve, but that Sophie was absent from the tour because she was “napping,” and that it's “hilarious” how she insists on lying down to nap. When I clarified if she was too tired to be part of the tour, the trainer said she is rarely used for encounters because she's “still learning” the routines. (See Video 6.) This explanation is suspicious given that this elephant was used for circus performances and public rides for decades—she spent over 25 years with the Carson & Barnes Circus—and the fact that she's been at The Preserve for nearly two years.

¹ See USDA [Animal Welfare Inspection Guide](#), 3-11 to 3-12 (Updated June 2025).

² See USDA Inspection Report, Have Trunk Will Travel, August 18, 2012, for a violation of 9 C.F.R. § 2.131(d)(3) because during public rides, there were two brief instances when the elephant not giving rides “was not under the direct control and supervision of a knowledgeable and experience animal handler. (Have Trunk Will Travel is Johnson's previous license when he was exhibiting in California.) See also USDA Teachable Moment, Gary Johnson, March 23, 2022, reminding the licensee that “[t]here must be sufficient distance and or barriers between the animal and the viewing public” pursuant to 9 C.F.R. § 2.131(c)(1).

³ See USDA Inspection Report, Carson & Barnes Circus, March 22, 2022, for a violation of 9 C.F.R. § 2.131(c)(1) because during public encounters, a trained handler was “too far away to exert direct control over the elephants.”

Another trainer echoed the narrative that Sophie was not present for the tour because she was sleeping during the middle of the day and specifically said that she is “almost always” basking on the side of a sandpile, which she will do “for hours.” (See Video 7.) This reason for her absence is also questionable, considering that healthy elephants do not spend substantial time sleeping. Studies have consistently found that captive elephants’ resting patterns do not vary significantly from their wild counterparts. Elephants average only about four total hours of sleep at night, and while they do occasionally rest during the day for short periods, daytime resting rarely occurs in a recumbent position.⁴

The trainers’ explanations for Sophie’s absence raise more questions than answers about the true state of her health. Please inspect Sophie and her veterinary records and ensure that she is provided with adequate veterinary care pursuant to 9 C.F.R. § 2.40.

⁴ See Tobler, I. (1992). Behavioral sleep in the Asian elephant in captivity. *Sleep*, 15(1), 1–12.

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Photo Appendix



Photo 1: Becky's toenails are overgrown and the cuticles on the front feet are severely overgrown.



Photo 2: The unkempt and overgrown cuticles could trap debris and increase the risk of infection.



Photo 3: Overgrown nails can be painful, increase the risk of nail fractures, and cause abnormal weight-bearing, increasing the risk of arthritis and lameness.