



IN DEFENSE OF ANIMALS

April 14, 2010

Mr. John P. Corcoran, Coroner
Luzerne County Courthouse
Penn Place
20 North Pennsylvania Avenue.
Wilkes-Barre, PA 18711

Via fax: (570) 820-6319

Dear Mr. Corcoran:

In Defense of Animals is an international animal protection organization with a focus, among other areas, on elephants used in circuses. We are concerned with your conclusion regarding the tragic death of the elephant handler, Andrew Anderton, which occurred last Friday at the Irem Shrine Circus in Wilkes-Barre. It is our opinion, and the opinion of noted elephant experts we have consulted, that your determination of Mr. Anderton's death as "positively an accident," and that the elephant Dumbo did not intend to harm the victim, was based on fundamental misconceptions about elephant behavior and should be revisited based on the information provided in this letter.

While we are cognizant of the fact that you are working within a legal concept of what constitutes an accidental death, and it is therefore possible that your ultimate conclusion would not change, it is vital that the facts of the case be reported as accurately as possible. We also recognize that elephant biology and behavior is not something you would be familiar with, so we offer the following expert information for your consideration.

1. Dumbo intentionally kicked Mr. Anderton.

According to media reports, you stated: "The animal, I guess, was moving around ... and the handler, I think, came in from behind him, and the elephant didn't realize he was there and knocked him down." According to elephant experts, including one of the world's leading elephant biologists, Dumbo was fully aware of her actions when she kicked Mr. Anderton 20 feet, causing multiple traumatic injuries.

Dr. Joyce Poole, who has studied wild elephants and worked for their conservation and welfare for over 35 years, is considered a world expert on their behavior and communication. She states:

"Despite having to live with a name like "Dumbo," elephants are anything but clumsy. With a body weighing six tons elephants are extremely careful and rarely do anything by accident. They have superior sense of hearing, an incredible sense of smell and they are able to detect minute vibrations via their feet. Dumbo would have known that Anderton was approaching her from behind; she would have been able to smell, feel and hear him. Dumbo may not have intended to kill her keeper with her kick, but she certainly intended to kick him very hard."

2. Dumbo's behavior was not consistent with that of an elephant who was startled or touched by an electrical wire.

If in fact an electrical wire touched Dumbo, according to experts we spoke with she would not have responded by kicking Mr. Anderton. Typically elephants do not get "spooked" when they touch hot-wire, as most have been exposed to it previously since electrical wire is often used as a barrier. When elephants do accidentally touch hot-wire there is normally a **retraction**; they will tuck their body in away from the stimuli, pulling away to ensure that it does not happen a second time.

An elephant who is startled by something – a person walking past, a foreign noise or sometimes another elephant – typically does not kick out like a horse. Instead the elephant turns and faces the "danger." Turning around in a defensive posture, the elephant's head gets slightly raised, ears out to the sides and the trunk pulls in a little as the elephant backs away, creating a little more space and allowing a few seconds to adequately determine the cause.

In the attached statement from Peter Stroud, a zoological consultant, former zoo director and former member of the esteemed IUCN Asian Elephant Specialist Group, he explains:

Captive elephants even in situations of panic seem to be very aware of their position and movements relative to people and obstacles. Elephants are not clumsy and do not blunder into things accidentally. In this case a person is quoted as saying that Dumbo was very calm.

If an elephant kicks something – a person or object – the assumption should be that it meant to do so. It is likely therefore that Dumbo kicked Mr. Anderton with sufficient force to cause him grievous injury, because she meant to do so.

3. Dumbo's behavior is consistent with that of elephants forced to live unnatural lives in the circus.

By nature, elephants are highly social animals who in the wild roam miles a day in vast home ranges and live in large, tight-knit family groups in which females remain with their mothers for life. Like almost all elephants in circuses, Dumbo was taken from her family in the wild. She was sold to a circus trainer at age three, and has lived alone for over a year. Chained for long hours and intensively confined as she is trucked from city to city, Dumbo is deprived of her most basic needs: room to roam, social interaction and the mental stimulation provided by a rich, natural environment. All these factors combine to create a great deal of stress for this wild animal.

Mr. Stroud links this unnatural life with incidents in which humans are attacked and killed in circuses:

There is evidence that captive elephants are prone to deliberately attack their trainers and others associated with their care. We might conclude that this tendency is related to the unnatural situation in which captive elephants are kept and the suppression of their natural behavior.

4. Dumbo's behavior is consistent with that of elephants trained through a system of dominance, pain and threat of punishment.

Circuses dominate and control elephants through force and the threat of it. Trainers wield a bullhook, a metal-tipped device similar to a fireplace poker used to hook, prod, stab, strike elephants, causing injuries, abscesses and skin lacerations. Though thick, elephant skin is quite sensitive; they can feel the bite of an insect. Handlers constantly carry the bullhook, and even when not in use it represents a constant threat of physical punishment. Electric shock devices are also used on elephants.

Animal behavior studies show that lack of control, deprivation and the experience of pain or threat of pain are strongly linked to distress, suffering and aggression. So it is no surprise that, in this case, Dumbo lashed out at her handler, a person she associated with her suffering. Mr. Stroud observes:

It is likely that whatever the cause of Dumbo's distress at the time, the dominance/punishment regime that is used to control circus elephants would have resulted in her perceiving Mr. Anderton not as coming to assist her but as coming to add to her distress.

5. Elephant-attributed human deaths and injuries are not rare in circuses.

Since 1990, 14 human deaths and 120 injuries in the U.S. have been attributed to elephants. The majority of these incidents took place in circuses and affected both handlers and the general public. Some of the elephants involved in these incidents continue to have contact with the public, and are even used to give rides.

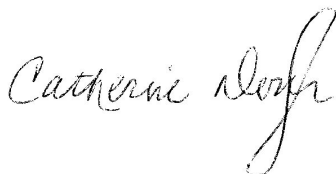
Conclusion

Clearly, the behavior typical of elephants in circuses does not support the conclusion that Dumbo kicked Mr. Anderton out of fear or surprise, or that she inadvertently struck him. In fact, evidence supports the conclusion that this was a deliberate act, pointing to the inevitability of more incidents such as this taking place.

We respectfully request that you revisit your determination that Mr. Anderton's death was accidental because Dumbo did not act deliberately. Not only is this a matter of establishing fact but also as a matter of public safety. Unfortunately, the message your office conveyed to the public is that such occurrences are mere accidents, which lulls the public into a false sense of security. (You may recall that Dumbo had been giving rides to children and families the very week she killed her handler.) In fact, this was not an accident or isolated incident, and it is important the public understands this before deciding to attend circuses that use wild animals to perform and give rides.

Please let us know if you have any questions or require more information. We would appreciate hearing from you on this matter.

Sincerely,



Catherine Doyle
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cc: Doug Pape, County Manager
Maryanne C. Petrilla, Chairman of the Board of Commissioners

Attachment: Statement by zoological consultant Peter Stroud