



PETA Factsheet

Cole Bros. Circus

P.O. Box 127, DeLand, FL 32721

Cole Bros. Circus, previously known as Clyde Beatty–Cole Bros. Circus, has failed to meet minimal federal standards for the care of animals used in exhibition as established by the Animal Welfare Act (AWA). The U.S. Department of Agriculture (USDA) has repeatedly cited Cole Bros. for failure to provide veterinary care to animals, including elephants who have shown extreme weight loss, as well as failure to provide adequate space to animals. The USDA filed formal charges of AWA violations against Cole Bros. because elephants showed signs of being abused with sharp metal bullhooks; a New Jersey humane society charged the circus with cruelty to animals for overloading and overworking an elephant; and two elephants—who were described as malnourished and neglected—died suddenly within a two-week period. In seven separate incidents, elephants with Cole Bros. have become violent, killing two members of the public, injuring more than a dozen others, and rampaging during performances, causing tens of thousands of dollars in property damage. As of February 2008, Cole Bros. no longer has its own USDA license and leases animal acts from other circuses, including Carson & Barnes Circus. Carson & Barnes employees were videotaped beating elephants with bullhooks and shocking them with electric prods, and the USDA has fined Carson & Barnes for elephant abuse. In 2011, Cole Bros. and its president pleaded guilty to violating the Endangered Species Act by illegally selling two Asian elephants and were sentenced to probation and ordered to pay more than \$150,000 in fines. Contact PETA for documentation.

June 29, 2011: The USDA cited Carson & Barnes, performing as the Cole Bros. Circus, with a direct noncompliance of the AWA after a handler believed to be John Caudill III was seen by an inspector talking on his phone and walking away from an elephant while one adult and six children sat on her back during a ride. Caudill was also seen distracted and talking to a member of the circus, leaving the elephant unattended. At another point, one handler was left to supervise two elephants. Carson & Barnes was also cited for another direct noncompliance when a female handler was observed using excessive force with the bullhook against an elephant named Viola on several occasions. Additionally, Carson & Barnes was also cited on two counts of failing to handle animals so there is minimal risk of harm to both the animals and the public when only one handler was present for two elephants while within close proximity of members of the public. The inspector also cited the circus because the handler had his back turned when a member of the public came into physical contact with the elephant and also while two elephants were able to extend their trunks over protective fencing to eat grass on the public side.

June 17, 2011: A man and his son decided to stop near a parking lot where Cole Bros. was set up in Lanesboro, Massachusetts, and videotape the elephants, on lease from the Carson & Barnes Circus, just for fun. They witnessed a handler yelling at the elephants before striking one of them with a bullhook, producing a clearly audible “whack” sound. The same handler then took a step back and swung the bullhook as if it were a baseball bat, striking the elephant on her face twice more. “This was not an ‘attention getter,’” the father explained. “This worker reared back and swung the club with all his might, twice. You could hear the ‘whack’ as the club struck the elephant. My son and I were shocked.” The handler is believed to be John Caudill III, who had previously pleaded guilty to 18 willful violations of the AWA, including failure to handle an elephant in a manner that did not cause the animal physical harm, trauma, or unnecessary discomfort as well as failure to provide proper veterinary care to injured, ill, and excessively thin elephants. Caudill was prohibited from having an AWA license for five years but appears to have returned to his old practices. (Video can be requested from PETA.)

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PETA Factsheet

February 23, 2011: Both Cole Bros. and John Pugh, the company owner and president, pleaded guilty to violating the Endangered Species Act by illegally selling two Asian elephants named Tina and Jewel to a man who planned to use them for private parties and elephant rides. Cole Bros. was sentenced to four years of probation and ordered to pay a \$150,000 fine. Pugh was sentenced to three years of probation and 100 hours of community service and ordered to pay \$5,200. Both Jewel and Tina were taken into federal custody and now live together at the San Diego Zoo.

June 7, 2010: The USDA cited Allen Bros. Circus, which was performing as Cole Bros., for failure to correct previously identified noncompliances including failure to demonstrate adequate experience and knowledge of the proper handling of dangerous wild or exotic animals, failure to have dangerous animals under the direct control and supervision of a knowledgeable and experienced animal handler, failure to provide a travel itinerary, and failure to notify the USDA of a change in its business operations—specifically that it was now exhibiting tigers. The inspector wrote, “This puts the individual, public, and the animal’s safety at risk,” and noted that Allen Bros. Circus appeared to be circumventing the license revocation of another exhibitor.

May 4, 2010: The USDA cited Allen Bros. Circus, which was performing as Cole Bros., for failure to demonstrate adequate experience and knowledge of the proper handling of dangerous wild or exotic animals and failure to have dangerous animals under the direct control and supervision of a knowledgeable and experienced animal handler. The inspector wrote, “This puts the individual, public, and the animal’s safety at risk.” The circus was also cited for failure to provide a travel itinerary as well as for failure to notify the USDA of a change in its business operations—specifically that it was now exhibiting tigers. The USDA inspector noted that Allen Bros. Circus appeared to be circumventing the license revocation of another exhibitor.

April 27, 2010: An elephant named Viola, who had been leased from Carson & Barnes to perform with Cole Bros., escaped in Lynchburg, Virginia. She bolted from handlers and ran directly past a line of people waiting to buy tickets, sending some running toward the parking lot. Viola injured her shoulder and broke a toenail when she slid in the mud and fell into a steep ravine. She was on the loose for approximately 30 minutes before being recaptured. The circus claimed that the elephant had been spooked by a rabbit.

May 24, 2008: A Cole Bros. employee was arrested and charged with three counts of burglary and three counts of theft of movable property during the circus’s appearance in Randolph, North Carolina. The man admitted to committing three burglaries.

January 14, 2008: During an inspection at the Cole Bros. home facility, a USDA inspector noted, “The elephant area appears to be in the same condition as it was on the July 23, 2007, inspection”

August 21, 2007: The USDA cited Cole Bros. exhibitor Hanneford Family Circus for failure to provide veterinary records documenting a birth deformity in an elephant named Liz, who was observed moving her right knee in a stiff manner.

August 2, 2007: The USDA cited Cole Bros. for failure to provide adequately trained employees for the elephant Jewel. The inspector wrote, “Given the current condition of Jewel, the handler ... does not have adequate training or experience to provide day to day and/or specialized handling ... [to] ensure that Jewel’s care and husbandry needs are met.” He wrote of Jewel’s condition, “[She] still remains gaunt. [Her] facial bones are prominent and evidence of weight loss can be seen along her dorsal spine, shoulders, and hips. ... She displayed distress and discomfort ...,” and her failure to gain weight “may indicate that she has a chronic, debilitating condition.” Cole Bros. was also cited for failure to maintain a corral used by the elephants, which was saturated with water and contained areas of large potholes, and failure to maintain the sanitation of an area near the elephants’ holding area, which contained “[a]ccumulations of burnt trash, circus cars, a trailer, and a fragile wooden building ... [which] are hazardous to the health of the animals.”

July 23, 2007: During an inspection at the Cole Bros. home facility, a USDA inspector noted, “The area used to house elephants is currently in need of a general clean up. ... The facility does not currently have an outdoor primary enclosure sufficient to securely contain elephants”

June 5, 2007: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of not providing adequate veterinary care for elephants. Referring to the Texas facility housing elephants Tina and Jewel, the inspector wrote that “the lack of a permanent long term housing facility that provides adequate shelter and enclosures

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501 Front St., Norfolk, VA 23510 • 757-622-7382 • PETA.org • Circuses.com

PETA Factsheet

jeopardizes the health of the animals and [hinders] their ability to gain weight.” The inspector also wrote, “The lack of sufficient ventilation in the barn housing the elephants can contribute to heat-related stress that would also adversely affect their health.” The circus was also cited for failure to provide adequate shade in the elephants’ outdoor enclosure and failure to ensure the structural strength of primary enclosures.

May 15, 2007: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of not providing adequate veterinary care to elephants Tina and Jewel. The inspector wrote that an elephant expert had determined that both Tina and Jewel “showed an alarming amount of weight loss and that Jewel was not fit to continue traveling with the circus.” The expert requested that both elephants be moved to the circus’s winter quarters in Florida until they returned to good health. Instead, the circus subjected Tina and Jewel to the stress of lengthier transport to an unapproved facility in Texas that was not equipped for long-term housing of elephants and could not provide adequate care, monitoring, or access to veterinarians experienced in elephant health. At the Texas facility, the elephants were relegated to a travel trailer during inclement weather, and the elephants’ daily food intake was not being recorded as prescribed by the elephant expert. Cole Bros. was also cited for improperly storing unidentified immobilization drugs for elephants.

April 10, 2007: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of not providing veterinary care to Jewel, an elephant with undiagnosed weight loss who was being subjected to stressful travel conditions. The inspector wrote, “[Jewel] is noticeably thin. The spine is prominent as is the pelvis. The areas above the eyes are very sunken. The neck appears very thin.” The USDA instructed the circus to have Jewel evaluated by a veterinarian who specializes in elephants.

March 17, 2007: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of not providing veterinary care to diagnose the cause of the elephant Jewel’s weight loss. Jewel was “still noticeably thin” and had shown no significant weight gain in a five-week period. The circus was also cited for failure to provide documentation of annual tuberculosis tests on the elephants, and the inspector wrote, “[N]either Jewel nor Tina should travel ... [Prohibiting] public contact with these elephants is necessary to ensure the health of both the elephants and the public by minimizing the potential spread of tuberculosis.”

February 15, 2007: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of not providing adequate veterinary care to a chronically thin elephant. The inspector wrote that Jewel’s face had a sunken appearance, her spine was prominent, and her ribs were visible when she walked. The inspector also wrote that the elephant handler’s long delay in assessing Jewel’s weight “[was] not considered appropriate considering her body condition.” There was no documentation of a recent tuberculosis test, prompting the inspector to write, “Because TB can be a cause of chronic weight loss, it is imperative that the elephants are tested in a timely manner.”

October 24, 2006: The USDA cited Cole Bros. for failure to provide adequate veterinary care to Jewel, an underweight elephant. The inspector wrote that Jewel’s spine “is very prominent” and that “there appears to be very little muscling over the eyes.” During this inspection, the USDA also cited Cole Bros. for failing to store the animals’ food in a manner that would protect it from contamination.

December 14, 2005: The USDA cited Cole Bros. for improperly storing food next to a truck leaking oil. The circus was also cited for failure to establish an effective fly-control program, as evidenced by a camel with numerous flies on and around the face, nose, and eyes; “a slight serious discharge” from one eye; and the animal’s constant head shaking.

August 25, 2005: An Asian elephant named Jewel, owned by Cole Bros. and touring with Wambold’s Circus Menagerie, suddenly wrapped her trunk around a woman’s wrist and yanked her as she reached out toward the elephant from a crowd of people feeding the animal at the county fair in Mt. Pleasant Township, Pennsylvania. The woman was treated at an emergency room for a sprain and possibly torn ligaments.

December 14, 2004: The USDA cited Cole Bros. for failure to provide medical records documenting whether the camel received vaccinations, fecal exams, and deworming as required in the program of veterinary care as well as failure to provide perimeter fencing to adequately contain elephants and camels.

July 31, 2004: A 450-pound white tiger bolted from Cole Bros. while being transferred from one cage to another near the Forest Park bandshell in Queens, New York. Dozens of police officers with machine guns and tranquilizer darts pursued the tiger for 30 minutes as he prowled for a mile through a park crowded with picnickers, scattering

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501 Front St., Norfolk, VA 23510 • 757-622-7382 • PETA.org • Circuses.com

PETA Factsheet

screaming people and causing two traffic accidents. He was recaptured by the trainer. Two women filed a \$60 million lawsuit after suffering spinal fractures and other injuries in the multicar pileup on the Jackie Robinson Parkway.

June 23, 2004: The USDA cited Cole Bros. for failure to correct a previously identified noncompliance of causing elephants trauma, physical harm, and behavioral stress. A witness reported seeing a circus worker repeatedly hit an elephant about the head and face with a long stick. The elephant grunted and also gave “a high pitched sound.” The elephant handler subsequently admitted to the USDA inspector that he “had hit the elephant named Jewel several times about the head” with a plastic PVC pipe because the elephant had touched some wires. The inspector observed apparent injuries on Jewel’s forehead and above her left eye. The circus was also cited for failure to test new employees working with elephants for tuberculosis, failure to have a complete program of veterinary care, and failure to maintain the camel enclosure.

May 3, 2004: The USDA cited Beatty-Cole for failure to notify the agency of a name change. The circus’ new name is Cole Bros. Circus under American Circus Corporation.

February 5, 2004: The USDA cited Beatty-Cole for failure to provide adequate veterinary care to two llamas with overgrown and deviated hooves, a llama with a callus on the bridge of his nose, and a camel with eye discharge. The circus was also cited for failure to provide camels with shelter from the sun, failure to maintain the llama stalls in good repair, and failure to provide records of disposition for a zebra.

September 16, 2003: According to an incident report filed with the Spartanburg County Environmental Enforcement Department in South Carolina, a Beatty-Cole employee admitted to striking two elephants on the face and trunk with a bullhook to quiet them down. Another employee, identified as the “elephant superintendent,” acknowledged that his coworker had probably struck the animals because “when the elephants started vocalizing you had to get them quieted down ASAP or they would get out of control.” The witness—a man with his 4-year-old son—described the elephant handler as holding the bullhook with two hands and swinging it like a baseball bat while hitting the elephant about the back, sides, head, and trunk for no reason.

April 25, 2003: According to a USDA letter, a white tiger traveling with Beatty-Cole gave birth to two cubs while the circus was performing in Bayonet Point, Florida. Both cubs were pulled away from their mother and died several days after birth. The USDA wrote, “[White tigers] appear to be less healthy than tigers without the genes that cause the color variation.”

March 27, 2003: A spectator in Charleston, South Carolina, took video footage of a circus employee who was forcefully striking an elephant on her leg and head with a push broom. As a result of this incident, the USDA fined Beatty-Cole \$2,750 for improperly handling an elephant.

July 22, 2002: Knoxville Zoo staff veterinarian Dr. Ed Ramsay reviewed video footage of an elephant named Bessie, who was in the care of Beatty-Cole, and commented, “The video segments clearly show this elephant to have restricted range of movement of the front left leg. ... [I]n my professional opinion there is little to no question this animal suffers from arthritis. ... [T]his condition is painful. ... Extended periods of exercise and forced performance of unusual leg motions may very well cause this animal to suffer.”

November 19, 2001: Beatty-Cole exhibitor Svetlana Shamsheeva was cited for operating without a USDA exhibitor license, failure to have a program of veterinary care, failure to have records of acquisition, and failure to have an exercise plan.

August 23, 2001: A Beatty-Cole circus clown was found guilty on nine counts, including sodomy, sexual abuse, and endangering the welfare of a child, for sexually abusing a teenage assistant (see December 21, 1999). The boy testified that clown Christopher Bayer began sodomizing him in 1995, when he was 11 years old.

June 14, 2001: According to a USDA inspection report, a 56-year-old elephant named Bessie was suffering from arthritis, causing her to be “short strided in both front legs.” Captivity-induced foot problems and arthritis are the leading reasons for euthanasia in captive elephants. The circus has refused to retire Bessie.

June 5, 2001: Beatty-Cole was cited for failure to have a veterinarian-approved exercise plan for dogs.

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April 2001: Circus officials confirmed that a disabled elephant named Helen was euthanized. Helen had been sent to a poorly funded private facility in Missouri in September 2000. Helen was only 42 years old and was the fourth disabled Beatty-Cole elephant to die prematurely since 1997.

February 12, 2001: A USDA inspector noted, "We were asked to examine [Tina the elephant] because of a complaint about inadequate control of the animal and use of physical force. ... This matter is still under investigation at this time."

November 22, 2000: An elderly couple was killed in Brandon, Florida, when a circus tractor-trailer pulled in front of their pickup truck on the highway at a slow rate of speed. The driver for American Circus Corporation, a Cole Bros. subsidiary, was jailed and charged with operating a commercial vehicle without the proper license and violation of the right of way.

October 18, 2000: In response to a letter from PETA, the USDA confirmed, "With regard to your additional concerns about Helen's knee condition, it does appear that this condition may be worsening. ... Helen is now retired at a private facility in Missouri." The circus forced Helen to work for more than two years after her disability was first documented (see September 11, 1998).

September 20, 2000: In a letter to the USDA, PETA wrote, "PETA has written several times with concerns about Helen, an elephant with a serious knee disability. Helen's crippling condition has deteriorated, and she should be immediately taken off the road. ... Helen's persistent use has apparently caused her injuries to worsen."

July 11, 2000: Beatty-Cole was cited for failure to maintain the elephants' transport trailer.

June 13, 2000: According to congressional testimony provided by former Beatty-Cole elephant keeper Tom Rider, "[I]n White Plains, N.Y., when Pete did not perform her act properly, she was taken to the tent and laid down, and five trainers beat her with bullhooks. Pete is now dead."

March 9, 2000: Three veterinarians reviewed videotape of a disabled elephant named Helen who was forced to give rides and pull a caravan of heavy tiger cages. The veterinarians described Helen's disability as a chronic, degenerative condition causing pain-related lameness, which is aggravated by grueling circus routines. They determined that she could not be safely worked and recommended that she be removed from service.

February 2-3, 2000: The USDA cited Beatty-Cole for failure to provide adequate veterinary care to an elephant named Bessie, who was experiencing bleeding after and/or during urination (for which a diagnosis had not been made); an elephant named Helen, who had not been examined or treated for an injury to her tail (which resulted in fecal material protruding from under the base of the tail); and to elephants Bessie and Helen, who had not received any foot care for three months and who had some cracked nails as well as soles and cuticles in need of trimming. The USDA also cited the circus for failure to employ a veterinarian with substantial prior experience in the care of elephants and for failure to document the tuberculosis status of elephant handlers. The circus was also cited for failure to handle elephants in a manner that prevents trauma or physical harm (because of the presence of several bullhook scars on Bessie and Helen); failure to properly design and construct the elephant transport container after Helen was slammed into a wall during sudden braking (which resulted in paralysis of her tail); and failure to properly store food.

January 24, 2000: Beatty-Cole was assessed a \$10,000 civil penalty by the USDA to settle charges of abusively using a bullhook on elephants. The USDA agreed to suspend the fine, provided that the money would be used to pay an elephant consultant.

December 21, 1999: APBNews.com reported that the star clown of Beatty-Cole was arrested in New York for allegedly sodomizing a boy. The incident was captured by a surveillance camera.

August 27, 1999: The Monmouth County Society for the Prevention of Cruelty to Animals in New Jersey filed cruelty-to-animals charges against Beatty-Cole for overworking and overloading an elephant named Helen who appeared to be suffering from a crippling knee injury. The charges were filed after observing the animal during an exhibit at Freehold Raceway Mall in Freehold, New Jersey, on August 18-20, 1999.

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PETA Factsheet

August 1999: Conti and Petunia, two elephants whom veterinarians characterized as malnourished and neglected, died suddenly within the same two-week period—shortly after the circus took them off-tour when they could no longer perform. Numerous complaints were received by the USDA about the condition of Conti before her death. Conti was 57, and Petunia was 51. According to Petunia's necropsy report, she suffered from severe degenerative joint disease and arthritis. The USDA had no record that she had ever been diagnosed or treated for this condition.

April 1999: The USDA charged Beatty-Cole with AWA violations. USDA undersecretary Michael V. Dunn stated, "We believe that on numerous occasions, employees of Beatty-Cole abusively used an elephant hook on several animals. Charges of abuse are always among the most serious. And it both angers and saddens me when I hear allegations such as these."

January 21, 1999: For the second time in approximately two months, the USDA cited Beatty-Cole for failing to allow access to or inspection of records pertaining to the health of the elephants.

November 18, 1998: The USDA cited Beatty-Cole for failing to allow access to and inspection of its records. The circus would not provide the USDA's animal care inspector with a report concerning the health of the elephants. The inspector also noted scabs on the backs and behind the ears of the elephants. Medical records indicated that a veterinarian did not examine or treat these injuries. The circus was also cited for poor storage of food and bedding. The USDA inspector noted, "The back of the truck which stores the grain is dirty. There are cups, an empty cigarette pack, a gas-powered Weed Eater and spilled grain on the floor. This area also serves as storage for a can of paint as well."

September 11, 1998: The USDA cited Beatty-Cole for failing to have an attending veterinarian and adequate veterinary care. The inspector also noted, "Three of the elephants (Conti, Helen, and Pete) are intermittently demonstrating abnormalities in gait and other movement that may be age-related. Helen may also be exhibiting some of these due to previous injuries." Results of tuberculosis tests for the elephants were also not available.

August 14, 1998: In an article in the newspaper *The Tennessean*, the circus admitted to puncturing an elephant's skin and stated, "We had a guy who put a couple of boils on an elephant, where you hook them too hard and puncture the skin."

June 12, 1998: The USDA cited Beatty-Cole for failing to provide shade to the elephants and failing to maintain the primary elephant enclosure. The circus was also cited (for the second time in one month) for the handling of the elephants. The inspector stated, "On a previous inspection, two of the six elephants had obvious hook marks present. During the inspection today, four of the six elephants were observed with what appears to be hook marks." Several of the elephants' feet also had cracks in the nails.

June 3, 1998: The USDA cited Beatty-Cole for noncompliance with the AWA for the handling of the elephants. The inspector noted, "Two of the six elephants had obvious hook mark wounds on their legs. Some hook marks were also observed under the jaw of one elephant."

July 29, 1997: Dr. Elizabeth Goldentyre of the USDA stated, "This licensee [Beatty-Cole] is under investigation for alleged violations of the AWA and regulations."

March 1997: An elephant named Ola died under suspicious circumstances at age 40. Because of this death, the circus received an official warning from the USDA. The circus tranquilized Ola to trim her feet (which is not the standard procedure), and for 28 to 29 hours before her death, she was unable to stand. The other elephants in the care of Beatty-Cole were only 30 miles away and could have been taken to the facility to help lift her to a standing position. A circus employee claimed that because Ola was no longer a "performing elephant" (because of hip problems), she was of no use to the circus anymore.

July 10, 1995: Two elephants went on a rampage in Queens, New York, triggering a panic that left 12 people injured. Six spectators were hospitalized. The elephants bolted from the tent, crushing parked cars before being brought under control.

May 15, 1995: In Hanover, Pennsylvania, two elephants rampaged, smashing windows, denting cars, and crashing through a large plate-glass window at a Sears Auto Center. The elephants caused \$20,000 in property damage. According to the *York Dispatch*, a local resident who witnessed the rampage said the elephants appeared "to act

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PETA Factsheet

aggressive ... when the trainer 'would pound on the animals with the hook. ... He really lost control, really started hammering on them.'"

May 9, 1995: Crown Books, Washington's largest bookstore chain, canceled its plans to allow Beatty-Cole to bring an elephant to a book-signing event at a downtown store. In a letter to PETA, Crown's director of marketing, Cynthia Holland, stated, "After hearing from many sources about the potential safety hazards, it was decided that hosting this type of event was too risky, both for the people on the street and for the elephant himself."

June 5, 1993: An elephant crushed a man to death by pinning him against a trailer in Fishkill, New York.

May 21, 1992: Two tigers escaped from an unlocked cage during a performance in Muhlenberg Township, Pennsylvania. One tiger roamed around the center ring, frightening 2,000 spectators before he was recaptured.

February 1992–January 1993: The USDA cited the circus four times for not providing adequate security for elephants.

July 7, 1985: An elephant crushed a woman to death in New London, Connecticut.

May 1983: A spectator was injured by an elephant, who grabbed him and threw him to the ground. The man suffered multiple traumas, including several broken bones.

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