

Court overturns order to protect elephants at LA Zoo

May 29 2017, by Maura Dolan, Los Angeles Times

A court order requiring the Los Angeles Zoo to exercise its elephants on soft ground and barring the use of electric shock was overturned Thursday by the California Supreme Court.

In a unanimous decision, the state's highest court said the taxpayers who obtained an injunction against the L.A. Zoo used the wrong legal vehicle to obtain results.

The highly technical ruling said a taxpayer lawsuit, which relies on rules of civil law, cannot be used to stop criminal conduct. The suit that led to the injunction against the zoo accused it of violating a criminal law against animal cruelty.

A Los Angeles Superior Court judge issued the injunction in 2012, ordering the zoo to exercise its three Asian elephants at least two hours a day on rototilled soil to reduce the impact on their legs and pads.

The injunction also banned the use of [electric shock](#) and a barbed stick known as a "bull hook" - disciplinary tools the zoo said it wasn't using and will not use now.

David B. Casselman, a Tarzana lawyer who worked on the case for more than five years without charge, said he would return to trial [court](#) to see if there is another way to obtain a similar injunction or ask the Legislature to overturn the ruling.

"What they are saying is, the taxpayer waste statute does not allow civil cases to pursue criminal conduct," he said.

Casselman said the injunction was necessary to ensure the zoo cared for its elephants properly.

"This is heartbreaking," he said. "I thought we had done something here to move the ball forward and instead the Supreme Court has allowed the zoo to take a step into the dark ages."

John Lewis, director of the L.A. Zoo, said, "We will continue to exercise them and provide the best care for our elephants."

The [elephants](#) are Billy, 32, and Tina and Jewel, who are in their early 50s, Lewis said. The average life span for an elephant in the wild or at a zoo is 45 years.

The Los Angeles deputy city attorney who represented the zoo was not immediately available for comment.

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