

Washington State man who captured Tokitae says he has 'no regrets' after orca's death

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He remembers vividly the day he caught Tokitae, one of some 100 orca whales captured behind a net in Whidbey Island's Penn Cove.

"It was easy," remembered Ted Griffin, the man who first brought captive performing [killer whales](#) to the world, with his capture of Namu, a northern resident orca for his aquarium on the downtown Seattle waterfront. Griffin arrived in Seattle on July 28, 1965, with Namu in tow, to a hero's welcome. He was given a key to the city.

While Namu was his first orca capture, Griffin was just getting started, pursuing orcas in Puget Sound with high-speed chase boats, seal bombs and helicopters.

The capture at Penn Cove in August 1970 was his biggest.

"I certainly remember that day," Griffin said Friday, hours after Tokitae's death was announced by the Miami Seaquarium, where she endured captivity for more than 50 years in the smallest tank in the business.

Tokitae, also known as Lolita, had exhibited "serious signs of discomfort" over the last two days, the Seaquarium said. She passed Friday afternoon from what is believed to be a renal condition.

Griffin said he did not mourn Tokitae's passing because he did not know her.

He deeply grieved Namu's death; the whale lived less than a year in captivity, ultimately dying because of the untreated sewage and other pollution in Elliott Bay. As for his role in bringing the captive killer whale era to the world, his feelings were mixed.

"I have no regrets for all the activities," Griffin said. But he added, "I am sorry the whales passed away during the capture, and that they are not alive today."

Orca capture was unregulated at the time in Washington waters, and Puget Sound was the principal source of supply for anyone who wanted to buy an orca to put on display. Griffin had six or eight orders for orcas that day—including one from the Miami Seaquarium.

With so many orcas behind nets—one of his partners had roped in more when Griffin headed off to get a crew to help—Griffin ordered most of them let go. He couldn't handle that many at once and didn't need them.

He remembered Tokitae well. She was small, about 10 or 12 feet long, and young. Easy to train, easy to ship, and easy to capture. "I am not saying she cooperated. But she didn't fight us the way some whales, that are so skillful, no matter what you do, they won't come around."

Usually, Griffin said, he liked to spend some time with the orcas, bringing them back to his waterfront aquarium before he sent them on to his customers. "I like to get acquainted with my whales, and each of them had a unique something about them," Griffin said. But with an order already in hand from the Seaquarium, and too many whales on hand as it was, he sent her directly to the airport for Miami.

She was loaded in a sling and transferred to a flatbed truck and driven down the road to the airport. "There she went."

Griffin, now 87, didn't see her again until a visit about five years ago, at the Seaquarium. He approached the staff to congratulate them on her care. Unaware who he was or why he was interacting with them, Griffin said he was escorted out of the facility by an armed guard.

He said he had mixed feelings about the plan to bring her home. "I believe at that point, after that many years in captivity, with good animal husbandry they should stay with it, not change course. I thought she should stay there." On the other hand, he was fascinated with the idea of

what would happen if she came home, and the possibility of her interacting with other whales.

That was ultimately Griffin's dream, to live on an island in the San Juans, with a whale in a pen he would feed, and call in other orcas to interact with. He wanted to learn how to talk with wild whales. None of that ever happened.

Griffin is the type of dog owner who lets his dog run free, using neither fence nor leash. But Griffin said he confined orcas because he wanted to be close to them. He got in the water with them, and even rode Namu. It wasn't about science, he said. He just wanted contact.

"In the case of the whales, I could not maintain continual contact without putting my whales behind bars," Griffin said. "I am meaning that not in a negative way. That is the way the world looks at it, but I look at it differently."

It was seeing Namu up close—and all the other orcas ultimately put on display—that changed people's thinking about the whale once called killer. In a generation, an animal that had been despised, mutilated and shot, became revered, and ultimately protected.

After Namu died, catching whales became just a business for Griffin. There was [public outcry](#) at the capture at Penn Cove, witnessed by many. The state put its first limits on the hunts, establishing a live orca fishery. Not long after, Griffin left the business for good.

The whales were getting harder to hunt, learning to hide their young and elude captors. And the world was turning against the captors they once rooted for. The national Marine Mammal Protection Act was passed in 1972, outlawing harassment, harm and hunts of marine mammals. Yet SeaWorld was allowed to continue its hunts when the National Oceanic

and Atmospheric Administration in 1974 granted the amusement park an economic hardship exemption.

It took then-Gov. Dan Evans, then-state Attorney General Slade Gorton and the fast work of former Secretary of State Ralph Munro, a staffer to Evans at the time, who happened upon a live [orca](#) capture in Budd Inlet, to finally shut down the captures in Washington waters in 1976.

"I thought it was gruesome," Munro, now 80, said Saturday of the hunt he saw that day while sailing. "It was so close, you could hear the whales squealing, they were panicked. I thought, this is something we don't have to have in Puget Sound. It just made me sick.

"I am just glad the whole business was stopped."

But the damage was done, with a third of the pods captured for aquariums.

Between 1962 and 1976, about 270 orcas were captured, some more than once. Of those whales, at least 12 died during captures and more than 50 were kept for display. Of those, all were dead by now but one, until Aug. 18: Tokitae.

Many died horrible deaths: dropped from slings, overheated in planes and injured in captivity.

The capture era shattered family bonds among the J, K, and L pods, and their numbers, while they have climbed in some years, have not recovered from the low point of that era.

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