



**Letter of Support for California Assembly Bill 2140
“The Orca Welfare and Safety Act”**

The Honorable Anthony Rendon, Chair
California Assembly Water, Parks & Wildlife Committee
1020 N. Street, Suite 160
Sacramento, CA 95814
7 April 2014

Hogehilweg 17
1101 CB
Amsterdam
The Netherlands

Dear Assemblymember Rendon and Committee Members:

It is with great gratitude and unwavering conviction that we, the Free Morgan Foundation, write this letter of support for AB 2140, the Orca Welfare and Safety Act by Assemblymember Richard Bloom, (D-Santa Monica).

As California joins foreign nations leading the world in this noble endeavour to end captivity for orca (killer whales), it is our expectation that other states in the USA and foreign nations alike will follow. Science and the public agree that killer whale exploitation and captive breeding is a shameful business that has no place in a civil society and that the time has come for it to end.

With laws and treaties like the Marine Mammal Protection Act (MMPA) and the Convention on International Trade in Endangered Species (CITES) already in place, opponents of this bill who are backed by the marine park industry, will argue that AB 2140 is unnecessary. But nothing could be further from the truth.

Rescue, rehabilitation and release of wild orca are not *SeaWorld's* goal in California or anywhere else and it never has been, despite their public pretences that it is. The Free Morgan Foundation has first-hand experience dealing with these pretences and the practical consequences of this industry's business methods.

Morgan is a wild-born juvenile female orca taken from the Wadden Sea in the Netherlands in 2010 under a permit of the *Dolfinarium Harderwijk* for rescue and release. Four years later, there has been no effort made for her release and she is being used for commercial entertainment shows.

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Additionally, *SeaWorld* currently lists Morgan as an asset in its filings to the U.S. Securities and Exchange Commission, a result that could have only come through secret negotiations with the *Dolfinarium Harderwijk* in the Netherlands. This, despite *SeaWorld's* recent claims that they no longer acquire orca from the wild.

Morgan is now held at *Loro Parque*, *SeaWorld's* offshore killer whale storage and breeding facility in Tenerife, Spain which is used to circumvent the restrictions of the MMPA and CITES and allows *SeaWorld* to launder and import any progeny of Morgan into the United States; thereby establishing a new wild/captive orca bloodline and further perpetuating this travesty. Without intervention, orca Morgan will suffer a life of forced daily performances for her food and constant impregnation.

The injustice and exploitation of killer whales by marine parks such as *SeaWorld* (and others) is nothing new. As long as there is a profit incentive to maintain killer whales in captivity for commercial purposes, the illicit capture and trade of wild orca will continue worldwide as these marine parks seek out new bloodlines for their off-shore captive breeding programs - not to advance scientific knowledge or conduct necessary or vital research; but rather to maintain an inventory of orca as a commercial entertainment commodity.

The marine park industry has literally been built by riding on the backs of killer whales. These shows are not educational, serve no scientific purpose, feed misinformation to the public and they must stop.

The documentary *Blackfish*, featuring the orca Tilikum, has engaged the public in this important conversation and set the stage for the introduction of AB 2140 in California. The Free Morgan Foundation will continue to work to set legal precedent (Morgan's Law) on the International stage; ensuring that rescue, rehabilitation and release of distressed killer whales means just that. Passage of the Orca Welfare and Safety Act will ensure that California takes no further part in perpetuating this industry.

Finally, and perhaps most importantly, we believe that every orca presently held in captivity in California - and in concrete tanks around the world - deserves the opportunity to be individually evaluated by a panel of independent marine biologists and orca experts to determine the



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feasibility for rehabilitation and perhaps even eventual full release into the open ocean. For the orca that cannot be released, retirement to a sea pen is the right choice and without question, the only humane thing to do.

AB 2140 not only provides an end to captive breeding but it allows for a smooth and measured transition for the industry; this wise approach benefits all citizens and responsible businesses in California. The people of the State of California; the parents, the children and the grandchildren to come, for generations thereafter, will recognize this effort by the California Legislature as a turning point, not just for the welfare of the orca, but for the benefit of all humankind, as we as a society acknowledge that there is no dignity in supporting the captivity of these magnificent ocean sentient beings.

We applaud your initiative, thank you for your support of AB 2140 and look forward to its enactment.

Sincerely,

Dr Ingrid N. Visser

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