



# MULTICULTURAL BAR ALLIANCE

OF SOUTHERN CALIFORNIA

1748 Preuss Road

Los Angeles, CA 90035

310 399 8585

May 19, 2025

## Members

Arab American Lawyers Ass'n  
of Southern California

Armenian Bar Association

Asian Pacific American  
Bar Association

Asian Pacific American  
Women Lawyers Alliance

Black Women Lawyers  
Of Los Angeles

California Women Lawyers

Iranian American  
Lawyers Association

Irish American  
Bar Association

Italian American  
Lawyers Association

Japanese American  
Bar Association

John M. Langston  
Bar Association

Korean American Bar Ass'n  
of Southern California

Latina Lawyers  
Bar Association

LGBTQ+ Lawyers Ass'n  
Of Los Angeles

Mexican American  
Bar Association

MABA-PAC

Philippine American  
Bar Association

San Fernando Valley  
Bar Association

South Asian  
Bar Association

Southern California Chinese  
Lawyers Association

Women Lawyers Association  
of Los Angeles

The Honorable Mayor Karen Bass  
The Honorable City Council of the City of Los Angeles  
City Hall  
200 North Spring Street  
Los Angeles, CA 90012

Re: *Plea for Clemency for Billy and Tina the Elephants*

Dear Mayor Bass and Honorable Councilmembers:

The Multicultural Bar Alliance of Southern California (MCBA) is a coalition of more than 20 diverse women and minority bar organizations representing historically underserved communities in and around Los Angeles. MCBA is an alliance focused on human rights and social justice, not an animal rights group. Our member organizations range from the Asian Pacific American Lawyers Association, to the John M. Langston Bar Association, to the LGBTQ+ Lawyers Association. Our full member list is set forth in the left-hand margin of this letter. We write to urge our Mayor and City Council to show true leadership by intervening to ensure that Billy and Tina are retired to an elephant sanctuary rather than sent to another zoo.

Science now makes clear that confinement of elephants in zoo settings causes profound and preventable suffering. While all animals deserve humane treatment, elephants are especially incompatible with zoo captivity because their needs – physical, social, psychological, and emotional – are far too complex to be met in a zoo. Many cities, including San Francisco and Oakland, have shuttered their elephant exhibits based on the science and guided by ethics. No less than 38 zoos across North America have followed that path. The Ojai City Council ***banned the captivity of elephants in zoos*** within its city limits due to “evolving standards of morality, scientific discovery, and human experience,” and codifying “elephants’ fundamental right to bodily liberty.” Recognizing that inaction never benefits the oppressed, we urge our city’s leaders – who we elected to represent the will and values of our community – to show compassion and true leadership by demanding that Billy and Tina be retired to a sanctuary where they can heal and live out their remaining days in peace and dignity.

We are mindful that our views do not align with the position of the Los Angeles Zoo. History has shown us that progress often requires going against the grain. Those we most admire – the ones who moved our society forward – did so by questioning the institutions around them. When a zoo unilaterally decides the fate of these elephants – especially in contrast to the will of the public – such a decision must be viewed with skepticism and recognized for the inherent conflict of interest it presents.

Retiring Billy and Tina to a sanctuary is a matter of great importance to many different segments of our community, from animal rights activists who do not believe any animals belong in zoos, to longtime zoo patrons who have developed deep bonds with Billy and Tina, to individuals who have felt deceived by the zoo's messaging. The issue is critical to us for an additional reason, shaped in large part by the compelling dissenting opinion of the Honorable Rowan D. Wilson, now Chief Judge of New York State's highest court, in connection with a habeas corpus petition filed on behalf of Happy the Elephant confined at the Bronx Zoo. Judge Wilson is from California, graduated Harvard College and Harvard Law School, where he was an editor of the *Harvard Civil Rights—Civil Liberties Law Review*, then clerked for Hon. James R. Browning, Chief Judge of the Ninth Circuit Court of Appeals. He then joined Cravath, Swaine & Moore – widely considered the most prestigious law firm in the country – where he became the firm's first African American partner, headed the firm's pro bono practice and served as Chair of the Neighborhood Defender Services of Harlem before ascending to the bench.

The lawsuit involved whether Happy the Elephant could gain her freedom from zoo captivity through a habeas corpus petition. Harvard Law Professor and renowned constitutional scholar Laurence Tribe argued for her freedom. Judge Wilson agreed and began his 70-page dissenting opinion with a poignant parallel between Happy's confinement and the 1906 exhibition of a Congolese man displayed in a zoo until mounting protests led to his release. Quoting Rev. Dr. Robert Stuart MacArthur, Judge Wilson aptly declared: "The person responsible for this exhibition degrades himself as much as he does the African." *Nonhuman Rights Project v. Breheny, et al.*, 38 N.Y.3d 555, 578 (2022). Judge Wilson set forth a compelling case for recognizing elephants' right to freedom, grounding it not in their differences from humans, but in their intrinsic qualities – such as autonomy and sentience, and concluding that the confinement of Happy the Elephant in a zoo "stunts her needs in ways that cause suffering so great as to be deemed unjust." *Id.* at 620. His colleague, Hon. Jenny Rivera, agreed in her own dissenting opinion that elephant captivity is so "inherently unjust and inhumane," it is "an affront to a civilized society, and every day [the elephant] remains a captive – a spectacle for humans – we, too, are diminished." *Id.* at 642. Similarly for Los Angeles, inaction in the face of this injustice not only makes us complicit, but reflects a profound moral failing that diminishes us as a community otherwise known for our integrity and commitment to defending the vulnerable.

We urgently call on our Mayor and City Council to rise to this moment – stop the transfer to another zoo and retire Billy and Tina to a true elephant sanctuary before it is too late – lest our city be remembered as turning a blind eye to injustice while other cities led with courage and moral clarity.

Respectfully and gratefully for prioritizing this important issue,

/s/ Theresa J. Macellaro

Theresa J. Macellaro

Co-Chair, Multicultural Bar Alliance of Southern California