



**Lorna D
Harris/MD/APHIS/USDA**

07/20/2009 03:59 PM

To Timothy R Fordahl/CO/APHIS/USDA, Robert M
Gibbens/CO/APHIS/USDA, Karen L
Kraubner-Lucas/CA/APHIS/USDA, Eric S

cc

bcc

Subject CA08259-AC/CA08283-AC

"The subject case has been sent a stip for \$1,875. Attached are the settlement agreement and cover letter. If you should have any questions, please contact Roxanne Folk, (301) 734-5578. Thank you."



CA08259 & CA08283-AC San Francisco Zoological Gardens.doc ca08259 and ca08283 sag.doc

Lorna D. Harris
Compliance Case Examiner
USDA-APHIS-MRPBS-IES
Riverdale, MD 20736
3/734-0803

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
 4700 River Road, Unit 85
 Riverdale, MD 20737
 Phone: (301) 734-8684
 Fax: (301) 734-4328

JUL 20 2009

RESPONDENT:

San Francisco Zoological Gardens
#1 Zoo Road
San Francisco, CA 94132

CASE NUMBER CA08259-AC
 CA08283-AC
DUE ON OR BEFORE August 21, 2009
CONTACT Ms. Roxanne Folk
PHONE (301) 734-5578

DATE	CITATION	DESCRIPTION
25-DEC-2007	9 CFR 2.131(c)	CA08259-AC Handling. San Francisco Zoo failed to have sufficient distance and/or barriers between a Siberian tiger and the general viewing public so as to assure the safety of animals and the public.
	9 CFR 3.125(a)	Facilities general. Structural Strength. San Francisco Zoo failed to provide a facility/exhibit that could safely and effectively contain a Siberian tiger resulting in its escape. The tiger caused fatal injuries one to one zoo visitor and injuries to two other visitors.
24-MAY-2007	9 CFR 3.133	CA08283-AC Separation. Failure to separate three Giant Elands that was housed together, but were not compatible. Animals shall not be housed near animals that interfere with their health or cause them discomfort. Failure to separate these animals resulted in the death of one Eland.

PENALTY \$ 1,875. **TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty, (b)(6), (b)(7)c will be forwarded to the Civil Penalties Enforcement Unit (CPEU) to the sanctions the Department may impose. If you wish to exercise your right to a hearing, this matter will be referred to the Civil Penalties Enforcement Unit. The penalty offered in this stipulation is not relevant to the issuance of a formal complaint.

Signature of Respondent

Date: August 14, 2009

Payment Type	USE ONLY
	Signature of IES Representative



CERTIFIED MAIL
RETURN RECEIPT

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Marketing &
Regulatory
Programs Business
Services

4700 River Road
Riverdale, MD
20737

San Francisco Zoological Gardens
#1 Zoo Road
San Francisco, CA 94132

JUL 20 2009

Dear Sir(s):

Animal and Plant Health Inspection Service (APHIS) enforces regulations to protect the health and care of animals, plants, and agricultural industry. Violations of these regulations jeopardize the animal and plant health systems that are vital to protect American agriculture.

Our investigation shows that you have violated the United States Code of Federal Regulations as described on the enclosed Stipulation. APHIS laws and regulations provide for administrative and criminal penalties to enforce these regulatory requirements, including civil penalties of \$7,500 for the violations documented in our investigation.

The Secretary of Agriculture may, after providing notice and opportunity for a hearing, impose civil penalties or other sanctions. You may, however, waive your right to a hearing and settle this matter by paying \$1,875 by August 21, 2009, and signing the enclosed Stipulation.

Please pay the \$1,875 penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (CA08259-AC/CA08283-AC) on your check or money order and mail it with the signed Stipulation to:

USDA, APHIS, (General) (CA08259-AC/CA08283-AC)
P. O. Box 979043
St. Louis, MO 63197-9000

If we do not receive your signed stipulation agreement and payment or notice that you wish to exercise your right to a hearing by August 21, 2009, this matter will be forwarded to the Department's Office of the General Counsel (OGC) for litigation. Please know that the penalty offered in this Stipulation represents a fraction of the civil penalty APHIS may seek should we refer this matter to OGC. You may contact our office at telephone number (301) 734-8684 if you have any questions.

Sincerely,

RAM

7/17/09

Bernadette Juarez
Deputy Director
Investigative and Enforcement Services

Enclosure

cc: T. Fordahl, IES, WR R. Gibbens, AC, WR
N. Ericson, IES, WR [redacted], IES, CA
APHIS:IES:RFolk:ldh:734-5578:7/16/09: CA-08259 & CA08:



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Program
An Equal Opportunity Provider and Employer

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Sent To <i>San Francisco Zoological Gardens</i>	
Street, Apt. No., or PO Box No. <i>CA08259-AC/CA08283-AC</i>	
City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

7008 1630 0000 0295 9895

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
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JUL 20 2009

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#1 Zoo Road
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PHONE (301) 734-5578

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If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.


Signature of Respondent: _____ **Date:** _____

PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

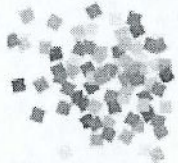


Robert M
Gibbens/CO/APHIS/USDA
07/16/2009 01:17 PM


To Roxanne Folk/MD/APHIS/USDA@USDA
cc
bcc
Subject Re: CA08259 and CA08283 -- San Francisco Zoo 

I concur. Thanks.

Robert M. Gibbens, DVM
Director, Western Region
USDA, APHIS, Animal Care
2150 Centre Ave., Bldg B
Ft. Collins, CO 80526
(970)494-7478
Roxanne Folk/MD/APHIS/USDA



Roxanne
Folk/MD/APHIS/USDA
07/16/2009 11:10 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA
cc
Subject CA08259 and CA08283 -- San Francisco Zoo 

Hi,

I have added 2.131(c) to the stipulation. I prepared two separate worksheets, in essence, one for each case.

Combined, the penalty would be \$ 1,875, the same as if they were on one worksheet, allowing for no evidence.

If all is fine, please reply with your concurrence.

Rox



ca08283 sf zoo wrksht.xls



ca08259 sf zoo wrksht.xls



ca08259 and ca08283 ssg.doc

Roxanne Folk
Enforcement Specialist
Investigative and Enforcement Services
(301) 734-5578
(301) 734-4328 Fax

**Please be advised that the information contained in this e-mail and the attachments involve an open case. This material is for official use only and should not be released outside the agency or duplicated without prior clearance from Investigative and Enforcement Services.

Robert M Gibbens/CO/APHIS/USDA



Robert M
Gibbens/CO/APHIS/USDA
07/16/2009 10:41 AM

To Roxanne Folk/MD/APHIS/USDA@USDA
cc
Subject Re: CA08259 and CA08283 - - San Francisco Zoo

Hi Roxanne

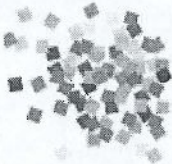
With regard to 2.131(c), it's important for us to include that allegation in the stip. The facts of the case provide ample evidence, and the fact that it was not cited on an inspection report does not impede or prevent us from alleging that the violation took place.

With regard to 3.80(a)(1), although there are no photos, the allegation is supported by SFZ's correspondence indicating that repairs/renovations to one of the involved primate housing facilities had not been completed in a timely manner. If you do not believe that is adequate supporting evidence, it is not critical to include this allegation.

With regard to "good faith," that one is a little tougher. For the tiger incident, because there had never been a previous escape from that enclosure, SFZ could reasonably assume that the enclosure and distance/barrier was sufficient, and therefore the tiger was being handled in a manner that ensured the safety of the tiger and public. So one could argue that the zoo was making a good faith effort to comply (albeit they were doing nothing proactively). However, with regard to the eland death and primate housing, there is no evidence that the zoo was making a good faith effort to comply. If we have to go with one overall "Good Faith" rating, I believe "no evidence" is most appropriate.

Let me know if you want to discuss 2.131(c) further. Thanks.....Bob

Robert M. Gibbens, DVM
Director, Western Region
USDA, APHIS, Animal Care
2150 Centre Ave., Bldg B
Ft. Collins, CO 80526
(970)494-7478
Roxanne Folk/MD/APHIS/USDA



Roxanne
Folk/MD/APHIS/USDA
07/16/2009 07:44 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA
cc
Subject CA08259 and CA08283 - - San Francisco Zoo

Hi Dr. G.,

I have reviewed the two San Francisco Zoo cases and offer the following:

1. Draft stipulation;
2. Penalty worksheet - 2 grave, with credit for good faith (b)(5) and
3. Penalty worksheet - 2 grave, with no evidence of good faith \$ 1,875.

I did not include on the stipulation 3.80(a)(1). Although this was documented, I did not feel comfortable including

this, without any photos to show the impact on the animals or the seriousness. On one of the inspection reports, the inspector notes that this type of issue has been a problem or over ten years, but no photos. Also, I was not comfortable including 2.131(c)(1), it was not on any inspection report. I understand how it is a violation, but seems a tough sell if this were to go to hearing.

Let me know what you think.

Rox



ca08259 and ca08283 sf zoo wrkshet.xls



ca08259 and ca08283 sag.doc



ca08259 and ca08283 sf zoo wrkshet rev 2.xls

Roxanne Folk
Enforcement Specialist
Investigative and Enforcement Services
(301) 734-5578
(301) 734-4328 Fax

**Please be advised that the information contained in this e-mail and the attachments involve an open case. This material is for official use only and should not be released outside the agency or duplicated without prior clearance from Investigative and Enforcement Services.

FYI.

CA08259 - Tiger escape/attack

The investigative report documents the circumstances surrounding the escape of a tiger from its enclosure at the San Francisco Zoo (SFZ) on December 25, 2007. After escaping, the tiger attacked and killed a member of the public, then was subsequently shot and killed near SFZ's Terrace Cafe. The investigative report contains sufficient evidence to prove that violations of Section 3.125(a) and 2.131(c)(1) took place.

This investigate report (as well as the report in CA08283) also contains inspection reports from 2005 and 2006. Citations from those inspection reports will be addressed in conjunction with CA08283.

Statutory factors

Gravity = grave; the alleged violation resulted in the death of the tiger, as well as a member of the public
Size = large; SFZ is a large zoo that has over 300 covered animals (many are wild and/or exotic) and is open to the public

Priors = the last enforcement action on file was a stip in 1992

Good faith = yes; the big cat exhibit involved was maintained in good repair, and no animals had escaped in 65 years (SFZ had no reason to believe the tiger could escape); the tiger involved had been fed shortly before being placed out on exhibit

CA08283 - Eland Deaths

The investigative report documents that on May 24, 2007, 3 Eland antelope arrived from the San Diego Wild Animal Park. Because some of the doors in the quarantine barn were not operational, the 3 animals

were placed in an indoor stall that was smaller than their prior enclosure at SDWAP. The 3 Eland appeared anxious and were sparring upon unloading. The doors to the quarantine facility became operational on May 26, and the animals could be allowed outside. On May 27, the attending veterinarian noted some soft tissue swelling on the right side of the chest of one animal. On May 28, one Eland was found dead with both rear legs splayed out. The necropsy showed the animal to have avulsion fractures of both femoral heads, and multiple skin wounds from horn trauma. On June 4, the attending vet noted sudden swelling on the right side of the chest on the same Eland he had seen the soft tissue swelling on May 27. Treatment efforts were initiated, but the animal died on June 7. The necropsy showed that an intercostal laceration (caused by interspecies trauma) allowed a prolapse of the abomasum and reticulum into subcutaneous tissues, ultimately resulting the Eland's death. Evidence in the investigative report is sufficient to prove that at least one of the Eland died from trauma caused by a violation of Section 3.133.

Inspection reports from 2005 and 2006 are included in this investigative report. The inspection reports contain numerous citations, however, none are supported by photos. There is 1 repeat citation {Section 3.80(a)(1)} which is supported by SFZ's correspondence indicating that repairs/renovations to one of the involved primate housing facilities had not been completed in a timely manner.

Statutory factors

Gravity = grave for the Eland (resulted in at least one death); significant for Section 3.80 (it was a repeat citation but there were no known impacts on the animals)

Size = large; SFZ is a large zoo that has 300+ covered animals (many are wild and/or exotic) and is open to the public

Priors = the last enforcement action on file was a stip in 1992

Good faith = no evidence

Combined recommendation: a stipulation is recommended for alleged violations of Section 3.125(a), 2.131(c)(1), Section 3.133, and Section 3.80(a)(1) as described above.

Bernadette Juarez, Deputy Director
Investigative and Enforcement Services
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
4700 River Road
Unit 85 (Room 6B-03B)
Riverdale, Maryland 20737
(301) 734-0884
(301) 734-4328 (facsimile)
bernadette.r.juarez@aphis.usda.gov

----- Forwarded by Bernadette R Juarez/MD/APHIS/USDA on 07/14/2009 04:46 PM -----

Bernadette R
Juarez/MD/APHIS/USDA
07/14/2009 04:40 PM

To Roxanne Folk/MD/APHIS/USDA
cc

Subject CA08259 and CA08283 -- San Francisco Zoo


Rox:

We need to complete the enforcement action for the subject investigations as soon as practicable. Will you provide me with a status update.

Thanks,
B.

Animal Care Penalty Worksheet

(b)(2)High



Case Number

CA08259-AC


T09B Animal Care Penalty Worksheet

(Occurred after 6/1/05) Rev 1 4/1/06

SF Zoo wrksht
Rev.1

Animal Care Penalty Worksheet

(b)(2)High



Case Number

CA08283-AC
SF Zoo wrksht
Rev.1

T09B Animal Care Penalty Worksheet

(Occurred after 6/1/05) Rev 1 4/1/06

Law Enforcement Sensitive Information

Special Handling Required

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
INVESTIGATIVE AND ENFORCEMENT SERVICES

REPORT OF INVESTIGATION

Case Number: CA08259-AC

Subject(s): **San Francisco Zoological Gardens**
#1 Zoo Road
San Francisco, CA 94132
(415) 753-7108
Lic/Reg: 93-C-003/Customer #3373

Investigator: (b)(6), (b)(7)(c)

Date of Report: September 26, 2008

Finding: Substantiated allegation(s)
 No violation(s)
 Insufficient evidence
 Fact finding

CONTAINS CONFIDENTIAL BUSINESS INFORMATION

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prior consent from USDA, APHIS, Investigative and Enforcement Services

SYNOPSIS

On December 25, 2007, an adult Siberian tiger named "Tatiana" escaped from her exhibit at the San Francisco Zoological Gardens (SFZ). After she escaped, she attacked and killed one zoo visitor and attacked and injured two others. Prior to the escape and during routine inspections of the SFZ facilities, Veterinary Medical Officer (VMO) Michael Smith discovered several violations of the Animal Welfare Act.

ALLEGED VIOLATIONS

SUBJECT(S)	DATE(S)	CITATION
SFZ	01/31/05 06/21/05	9 CFR 2.40 (b) (2)
SFZ	03/29/06	9 CFR 3.1 (e)
SFZ	03/29/06	9 CFR 3.52 (e)
SFZ	06/21/05	9 CFR 3.75 (c)
SFZ	01/31/05 06/21/05	9 CFR 3.80 (a) (1)
SFZ	03/29/06	9 CFR 3.80 (a) (2) (ii)
SFZ	01/31/05 03/29/06 12/25/07	9 CFR 3.125 (a)
SFZ	01/31/05 06/21/05 03/29/06	9 CFR 3.125 (c)
SFZ	01/31/05	9 CFR 3.125 (d)
SFZ	01/31/05 06/21/05	9 CFR 3.127 (a)
SFZ	01/31/05 06/21/05	9 CFR 3.127 (d)
SFZ	01/31/05	9 CFR 3.130
SFZ	03/29/06	9 CFR 3.131 (a)
SFZ	06/21/05	9 CFR 3.131 (c)
SFZ	03/29/06	9 CFR 3.131 (d)

BACKGROUND**Subject(s) Information**

SFZ is accredited by the American Zoo and Aquarium Association (AZA) and serves the community by connecting people with wildlife through exhibition and education. They exhibit many species of animals of which 334 are regulated by USDA, Animal Care. SFZ operates under the jurisdiction of the City of San Francisco in partnership with the San Francisco Zoological Society and possesses a USDA Class "C" Exhibitors license.

The SFZ is fully aware of all USDA laws and regulations regarding the exhibition of mammals regulated by USDA.

Subject(s) Previous History

Prior Enforcement Actions

On 12/31/07, SFZ was investigated under case number CA08283-AC for placing Giant Eland in an area lacking sufficient space resulting in the death of two of the animals. The case remains open.

Prior Adjudications

N/A

NARRATIVE

Basis for Investigation

This investigation was requested by Dr. Robert M. Gibbens, Western Region Director, U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Services (APHIS), Animal Care (AC) in his letter dated 12/26/07 (Exhibit 1).

Investigative Findings

On 12/26/07, Investigator [redacted] was informed by Area Manager Karen Kraubner-Lucas about an incident at SFZ involving the escape of a tiger and the resulting death of a zoo visitor (Exhibit 2). On 12/27/07, Investigator [redacted] coordinated a response to SFZ which included Investigator [redacted] Veterinary Medical Officer (VMO) Dr. Michael Smith and Large Felid Specialist Dr. Laurie Gage.

After arriving at SFZ, Investigator [redacted] contacted [redacted] [redacted] provided an overview of the tiger escape and SFZ's response (Exhibit 3). [redacted] said on 12/25/07 at about 5:00 p.m., SFZ was closing for the day when an employee at the Terrace Café noticed two men standing outside. At least one of the men was bleeding badly and the employee assumed they had been in a fight. The employee immediately called the [redacted] and reported the information [redacted] said [redacted] responded to the Café and saw one man covered in blood. He said [redacted] called "911" for police and ambulance assistance.

[redacted] then observed a loose tiger in the area and called a "Code 1" which informs all SFZ employees that a dangerous animal has escaped and is roaming the grounds. [redacted] said [redacted] heard the call and responded to the area. He said that while he was driving to the Café, [redacted] observed a man lying on the ground near the Lion House, not moving and covered in blood. He said [redacted] reported his observations to SFZ employees over the radio and continued on to the area of Terrace Café. [redacted] said when [redacted] arrived at the Café, he arrived at the same time as several members of the police department. He said [redacted] was with the officers when they shot and killed the tiger.

[redacted] said there were some sticks, foreign to the exhibit, and at least one pine cone inside the tiger exhibit indicating that someone may have thrown these items into the enclosure at the tigers. [redacted] said [redacted] was in charge of the Lion House on the day of the incident but left work after the animals were fed and had access to the outside of the enclosure. [redacted] said [redacted] closed the exhibit that day and that he had been assured by him that all gates and doors were locked securely. [redacted] said after the tiger was killed, Mr. [redacted] returned to the Lion House to check on the status of the other animals. [redacted] said that [redacted] found all of the doors and gates locked and all of the other animals still within the exhibit.

CA08259-AC

09/26/08

identified the tiger as "Tatiana" a 4 ½ year old, female, Siberian tiger, weighing approximately 250 pounds. He said the tiger arrived at SFZ in December of 2005 and in December of 2006 was involved in another incident where she attacked a keeper who had reached into her cage to retrieve some meat. said that the Lion House was built over 65 years ago and that to his knowledge SFZ has never had an incident where an animal escaped from the "grotto". said the exhibit has been in its present state since 1981 when repairs were made and a layer of concrete was added to the moat floor. said conducted the necropsy on the tiger on 12/26/07.

then walked Investigator Investigator, Dr. Smith and Dr. Gage to the tiger exhibit. Investigator observed that the "grotto" area of the exhibit is an outside enclosure offering public views of the tigers. The enclosure is accessible through locked doors from a public walkway that runs through SFZ property. From the walkway, the public is protected from the tigers by a small (approximately 3') open rail fence, low shrubbery and a small concrete curb which is located at the top of the moat wall. The moat is approximately 31' wide, comprised of concrete and was dry. The wall from the public walkway to the bottom of the moat varies in height with the shortest distance between the walkway and the bottom of the moat being approximately 12'-5".

Investigator, Investigator and Dr. Gage located several items of physical evidence in and around the exhibit indicative of how the tiger may have escaped. This evidence was photographed (Exhibit 4) and brought to the attention of the San Francisco Police Department investigators.

Investigator contacted at SFZ. said for the last three months, she has been around the tiger, Tatiana, watching her injection training. She said the training was progressing normally and she had not witnessed any abnormal behavior in Tatiana prior to the escape. She said that when tigers are motivated they can do incredible things but she has not seen any tiger jump out from the moat of its enclosure.

Investigator, Investigator, Dr. Gage and Dr. Smith also visited the SFZ Veterinary Clinic, interviewed the veterinarians involved with the tiger's care and inspected the tiger's remains. Investigator took photographs of the tiger's injuries including the damage to the tiger's nail sheaths (Exhibit 5).

On 1/09/08, Investigator contacted Dr. Gage and obtained her report regarding the tiger escape at SFZ (Exhibit 6). Dr. Gage said it was her opinion that the tiger escaped her enclosure by jumping up the moat wall at the point of the exhibit where there was a break in the thick vegetation at the top of the wall. She said the evidence she observed that supported this theory was fresh claw scratch marks in the concrete wall from one tiger foot 8-12 inches from the top of the wall, scratch marks about 2-3 feet

CA08259-AC

09/26/08

from the top of the wall, claw scratch marks within 2-3 inches of the top edge of the wall and two large keratin nail sheaths in the dirt on the public side of the wall.

Dr. Gage said an examination of the tiger's feet showed fresh wear and shredding on the claws of both back feet and some shredding to the lateral nails of the front feet. Dr. Gage said she believes the tiger "Tatiana" jumped from the bottom of the dry moat to the top of the moat wall and pulled herself out and over the wall. She said it appeared that the tiger lost at least two large nail sheaths on the public side of the wall in the process. She said the tiger had been fed a full meal earlier in the day and that it was unlikely that the tiger was hungry at the time of the escape. Dr. Gage provided photocopies of photographs she took during her inspection of the exhibit (Exhibit 7).

On 01/31/08, Investigator [REDACTED] contacted Captain Dave Fox, State of California Department of Fish and Game. Captain Fox said [REDACTED] a member of his department, investigated the tiger escape at SFZ. Captain Fox said they investigated the incident because the State of California Code of Regulations, Title 14, section 671.2 (a) (10), requires that animals on display be contained within an "escape-proof" area or enclosure at all times when not under the immediate control of a handler. He said SFZ was also obligated under Fish and Game Code section 2193 (a) to immediately report the escape and failed to do so. Captain Fox said [REDACTED] participated with members of the San Francisco Police Department in interviewing the men attacked by the tiger but that the content of these discussions was documented by the San Francisco Police Department. Captain Fox identified the deceased person as [REDACTED] and the two injured people as [REDACTED] and [REDACTED]. Captain Fox provided Investigator [REDACTED] with a photocopy of their investigation, a photocopy of photographs taken by [REDACTED] and a photocopy of the code sections relevant to their investigation (Exhibits 8-10).

On 2/04/08, Investigator [REDACTED] contacted VMO Michael Smith and obtained a sworn affidavit (Exhibit 11). VMO Smith said on 12/27/07, he accompanied Dr. Laurie Gage and Investigators [REDACTED] and [REDACTED] to SFZ. He said he visited SFZ to assess the factors that led to the escape of a tiger on 12/25/07. VMO Smith said the tiger, Tatiana, escaped her enclosure, killed one zoo visitor and injured two others. He said based on his inspection on 12/27/07, it was his opinion that the primary enclosure was insufficient to contain the tiger. He said he did not find any other contributing factors to the tiger's escape and feels that all personnel assigned to the tiger exhibit are properly trained. VMO Smith said on 4/05/07, he conducted a partial inspection of the carnivore section of SFZ which included the tiger exhibit. He said he noted no non-compliance issues during this inspection (Exhibit 12).

On 1/31/05, 6/21/05 and 3/29/06, VMO Smith conducted routine inspections of the SFZ facilities. After each of these inspections, VMO Smith completed an Inspection Report noting violations of the Animal Welfare Act. VMO Smith then emailed a copy of each of the Inspection Reports to [REDACTED] SFZ who acknowledged receipt with return emails (Exhibits 13-15).

CA08259-AC

09/26/08

After several attempts to talk with San Francisco Police Department (SFPD) Inspector Valerie Matthews, the investigator in charge of the tiger investigation at SFZ, Investigator [REDACTED] was directed to send a request for information to the SFPD Legal Division. On 3/05/08, Investigator [REDACTED] received from Lieutenant [REDACTED], a photocopy of the incident report prepared by members of the San Francisco Police Department and summarizing their response to the tiger escape incident (Exhibit 16). Reviewing this document, Investigator [REDACTED] noted statements from the responding police officers and paramedics describing the need to shoot the tiger and the medical condition of the three men that were attacked. Investigator [REDACTED] also noted several statements from SFZ employees including [REDACTED], [REDACTED] and [REDACTED].

On 3/10/08, 3/13/08 and 3/18/08, Investigator [REDACTED] attempted contact with [REDACTED] and [REDACTED] at their home in [REDACTED]. Investigator [REDACTED] attempted contact hoping to interview them regarding their observations of the tigers escape. Although Investigator [REDACTED] left messages at the home, he did not receive return telephone calls and was not successful gaining an interview with either of the [REDACTED].

On 5/05/08, Investigator [REDACTED] contacted [REDACTED] at SFZ and obtained a sworn affidavit (Exhibit 17). [REDACTED] said after becoming the Director of Animal Care and Conservation, he has been receiving copies of the USDA Inspection Reports completed by VMO Smith. He said that throughout his tenure he has found the reports to be "thorough in their scope and professional in their undertaking." He said after receiving the reports he typically acknowledged receipt by sending VMO Smith an email. He said has worked with VMO Smith to correct noted violations and he maintains copies of the inspection reports at SFZ as required by the USDA.

[REDACTED] said on 12/25/07, he first became aware of the tiger escape when he received a telephone call from [REDACTED]. He said he left his home to go to SFZ and on the way ensured that all of the remaining large felids were secure in the Lion House by speaking to Dr [REDACTED] on the telephone. He said he also made calls to [REDACTED], [REDACTED] of SFZ and [REDACTED]. He said upon arrival at SFZ, he surveyed the situation, checked once again to make sure all of the dangerous animals were secured and then cooperated with the police in their investigation.

[REDACTED] said on 12/25/07, SFZ was fully staffed with Animal Care employees until approximately 4:00 p.m. He said there were no closed circuit cameras at SFZ so activities at the Lion House before and after the tiger escape were not monitored. He said the tiger involved in the escape was identified as Tatiana, a 4 ½ year old female Siberian tiger weighing approximately 250 pounds. [REDACTED] said Tatiana came to SFZ in December of 2005 and in December of 2006 was involved in an incident where she attacked a keeper who had reached into her cage to retrieve something during a feeding demonstration. He said the Lion House was built over 65 years ago and that to his knowledge SFZ has never had an incident where an animal has escaped from any of the exhibit areas.

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said that prior to this incident the exhibit had not changed since 1981, when repairs were reported to have been made and a layer of concrete was added to a portion of the moat floor. He said a gross necropsy was performed on Tatiana on 12/26/07 by Dr. said employees at SFZ and under his supervision are given training relevant to their respective assignments.

On 5/05/08, Investigator contacted at SFZ and obtained a sworn affidavit (Exhibit 18). said on 12/25/07, at approximately 5:01 p.m., she received a call from , telling her that there was a guy at the Terrace Café bleeding from what may have been a fight. She said she drove to the Terrace Café and observed two men, one bleeding from the back of the head and the other unhurt. She said both men were agitated, screaming something about being attacked by a tiger and saying that their friend needed help. said she heard say on the radio that he was still on site and would be responding to the area. She also heard say he was getting a firearm and a closed vehicle.

said as she drove toward the Lion House, she saw a tiger calmly walking on the public path towards the South Gate. She said she used her radio to inform other employees of the tiger's location. She said she then went to the gate and led emergency personnel to the injured party. said that after emergency personnel arrived, several SFPD officers went with towards the Terrace Café. She said she then heard over the radio that the tiger was attacking one of the individuals followed by radio transmissions indicating that the tiger was shot and killed. She said that she directed all SFZ employees to hold in place until all of the cats were accounted for and that once the cats were accounted for, they began the process of checking on staff. She said she did not see the tiger escape its enclosure.

said she was comfortable with the level of training she has received at SFZ. She said that all employees participate at least twice per year in a practical exercise and they have written reference guidelines posted in each work area that outline responsibilities in times of emergency.

On 5/05/08, Investigator contacted at SFZ and obtained a sworn affidavit (Exhibit 19). Mr. said on 12/25/07, at approximately 5:00 p.m., he heard the say over the radio that we needed to call "911" as a member of the public was bleeding and a tiger was out at the South Gate. Mr. said he responded on the radio that he would go the hospital and get a shotgun. He said he armed himself with the shotgun and drove his personal car to the South Gate.

Mr. said as he drove past the Lion House, he saw an individual lying on the ground in front of the Siberian tiger exhibit. He said the individual had severe injuries and there were no signs of life. He said he asked for a medical response and then saw the tiger approximately 100 feet away. He said he informed SFZ employees of the tiger's location and direction of travel. Mr. said when the police arrived he informed

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them of his observations and they told him to put his shotgun away. He said he then heard over the radio that there was someone injured at the Terrace Café and he accompanied the police to that location.

Mr. [REDACTED] said when he arrived at the Café, he observed a tiger lying next to an injured person. He said as he approached the tiger, it began to attack the person on the ground. He said he instructed the police to shoot and the tiger was killed. Mr. [REDACTED] said employees at SFZ receive training regarding dangerous animal escapes in the form of escape drills. He said employees are also expected to review policy, participate in round table discussions with other SFZ employees regarding animal management and safety and receive special training in the use of firearms.

On 7/18/2008, Investigator [REDACTED] contacted [REDACTED] at SFZ and obtained a sworn affidavit (Exhibit 20). Ms. [REDACTED] said on 12/25/07, she was responsible for the Lion House which included the Siberian Grotto housing the tigers Tatiana and Tony. She said at about 2:00 p.m., she fed Tatiana along with the other cats. She said the tiger feeding was open to the public and lasted from 2:00 p.m. to approximately 3:00 p.m. She said Tatiana had no problems and ate everything that was given to her. She said Tatiana's behavior appeared normal.

Ms. [REDACTED] said after the feeding, she went outside to their grotto area to call the lions while [REDACTED] opened the guillotine doors for the Siberian tigers. She said when she returned, Tony and Tatiana were already back outside, locked out into the Grotto area on public display. Ms. [REDACTED] said at approximately 3:30 p.m., she completed her reports for the day and left SFZ. She said [REDACTED] was responsible for ensuring that the Siberian tigers would have access to both the grotto and the inside cage area during the evening.

Ms. [REDACTED] said she has been working with the tigers for approximately 13 years and did not see anything that would be considered abnormal in Tatiana's behavior. She said she has seen Tatiana jump on to the shelf located in the inside cages but has not seen her jumping on the walls of the Grotto or trying to escape. Ms. [REDACTED] said there have been incidents over the years where she has seen people leaning over or putting their children on the metal fence barrier adjacent to the pedestrian walkway. She said when she has seen this, she has addressed it on her own or involved security when necessary.

On 7/18/08, Investigator [REDACTED] contacted [REDACTED] at SFZ and obtained a sworn affidavit (Exhibit 21). Mr. [REDACTED] said on 12/25/07, at approximately 5:15 p.m. he was preparing to leave for the day when he heard a radio call regarding an escaped tiger. He said after hearing the call, he went to the office to retrieve special keys and pepper spray. He said he called [REDACTED], the [REDACTED]. Mr. [REDACTED] said he then went to the Lion House and looked for a security breach. He said he found no breach, but observed a tiger loose on the lawn at the South Gate. He said he retreated and met with the police. He said he accompanied the police to the Terrace Café, where he heard shots and discovered the tiger had been killed.

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Mr. [REDACTED] said he returned to the Lion House with the police to make sure all of the other large cats were accounted for. He said all of the cages were secure and properly set-up for the night. He said he did not find a security breach. Mr. [REDACTED] said on 12/25/07 [REDACTED] fed the lions and tigers at the Lion House. He said he later prepared the tigers for the night by providing them access to the outside exhibit.

Mr. [REDACTED] said when he returned after discovering the tiger escape, the doors leading to and from the exhibit were in the same condition they were in when he locked them earlier. He said he has seen Tatiana in the moat area on past occasions but has not witnessed her making any attempts to escape. He said he does not know how Tatiana escaped her enclosure, but believes she had to climb the wall.

On 8/25/2008, Investigator [REDACTED] contacted [REDACTED] for SFZ and obtained a sworn affidavit (Exhibit 22). [REDACTED] said on 12/25/07, a Siberian tiger escaped her enclosure and attacked several people visiting the SFZ. He said as a result of the attack, the tiger, Tatiana, was shot and killed by officers with the SFPD. He said on the following day, he performed a necropsy on the tiger at the SFZ Veterinary Hospital.

[REDACTED] said the necropsy confirmed that the tiger had good body condition, had no preexisting injury and had no signs of disease or illness that would have contributed to the tiger's behavior on 12/25/07. He said that the necropsy indicated the tiger's death was the result of bullet wounds, one causing hemorrhage to the tiger's lung and lodging in the thoracic vertebrae, the other causing a tear of cardiac muscle and found free floating in the thoracic cavity. [REDACTED] said a third bullet was observed in the frontal area of the tiger's skull. [REDACTED] said he also noted tearing and fraying to the tiger's rear nails and tearing to the lateral claw sheaths on both front feet.

[REDACTED] submitted samples taken during the necropsy to the laboratory for testing. The results indicated no abnormalities and the rabies testing also came back negative. [REDACTED] provided Investigator [REDACTED] with photocopies of the medical records and necropsy report for Tatiana (Exhibit 23).

On 10/20/08, Investigator [REDACTED] interviewed Supervisory Specialist Kathleen Garland, USDA, APHIS, AC. Dr. [REDACTED] said SFZ had been working with VMO Smith to address the violations he noted in his inspection reports before the tiger escape occurred. [REDACTED] said she had reviewed VMO Smith's Inspection Reports and was confident the reports accurately reflected the violations he observed. Dr. [REDACTED] said she also reviewed the report written by Dr. Gage regarding the tiger escape, concurred with her conclusions and felt it was an accurate reflection of the events that took place on 12/25/07.

On 10/21/08, Investigator [REDACTED] contacted Inspector Valerie Matthews of the San Francisco Police Department and completed a USDA, APHIS, IES Interview Log (Exhibit 24). Inspector Matthews said on 12/28/07, she interviewed [REDACTED] and [REDACTED]

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[redacted] at San Francisco General Hospital. She said the [redacted] had been injured by the tiger at SFZ and were in the hospital being treated for their injuries. Inspector Matthews said the [redacted]; provided a statement to her relevant to her investigation. She said the [redacted] were not able to tell her how the tiger escaped because they were walking away from the exhibit and did not see the tiger until the attack occurred. Inspector Matthews said based on the evidence at the scene, she believes the tiger climbed out of its enclosure.

These findings substantiate the following alleged violation(s):

9 CFR 2.40 (b) (2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

On 01/31/05 and 6/21/05, SFZ failed to provide a method to capture and examine animals at the Bison Paddock at Golden Gate Park. This regulation specifies in subsection (b) that each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

9 CFR 3.1 (e) Housing Facilities, General.

On 3/29/06, SFZ failed to store food supplies in appropriate containers and exposed food to contamination and vermin. This regulation specifies in subsection (e) that supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies. Foods requiring refrigeration must be stored accordingly, and all food must be stored in a manner that prevents contamination and deterioration of its nutritive value. All open supplies of food and bedding must be kept in leak proof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas.

9 CFR 3.52 (e) Facilities, outdoor.

On 3/29/06, SFZ failed to provide a method to remove excessive water in the Rabbit and Guinea Pig enclosure. This regulation specifies in subsection (e) that a suitable method shall be provided to rapidly eliminate excessive water.

9 CFR 3.75 (e) Housing facilities, general.

On 6/21/05, SFZ failed to provide an enclosure in the primate area that was accessible for cleaning. This regulation specifies in subsection (c) that hard surfaces with which non-humane primates come in contact must be spot-cleaned daily and sanitized in accordance with 3.84 of this subpart to prevent accumulation of excreta or disease hazards. If the species scent mark, the surfaces must be sanitized or replaced at regular intervals as determined by the attending veterinarian in accordance with generally accepted professional and husbandry practices. Floors made of dirt, absorbent bedding, sand, gravel, grass,

or other similar material, and planted enclosures must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta.

9 CFR 3.80 (a) (1) Primary enclosures.

On 1/31/05 and 6/21/05, SFZ failed to provide an enclosure for nonhuman primates that was in good repair. This regulation specifies in subsection (a) that primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species on nonhuman primates contained in them. They must be kept in good repair.

9 CFR 3.80 (a) (2) (ii) Primary enclosures.

On 3/29/06, SFZ failed to provide a primary enclosure that would protect nonhuman primates from injury. This regulation specifies in subsection (a) (ii) that primary enclosures must be constructed and maintained so that they protect the nonhuman primates from injury.

9 CFR 3.125 (a) Facilities general; Structural Strength.

On 1/31/05, SFZ failed to maintain its facility and exposed animals in the giraffe barn and ant eater exhibit to harmful materials. On 3/29/06, SFZ failed to maintain its facility and exposed the large cats, polar bears, tapir, giraffe and rhinoceros to enclosures with hazards. On 12/25/07, SFZ failed to provide a facility that could safely and effectively contain a Siberian tiger resulting in its escape and fatal injury to one SFZ visitor and injury to two others. This regulation specifies in subsection (a) the facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

9 CFR 3.125 (c) Facilities general: Storage.

On 1/31/05, 6/21/05 and 3/29/06, SFZ failed to provide for appropriate food storage and exposed food to contamination and vermin. This regulation specifies in subsection (c) that supplies of food and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

9 CFR 3.125 (d) Facilities, general: Waste disposal.

On 1/31/05, SFZ failed to provide for the appropriate removal and disposal of dead animals. This regulation specifies in subsection (d) that provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards. The disposal facilities and any disposal of animal or food wastes, bedding, dead animals, trash, and

debris shall comply with applicable Federal, State, and local laws and regulations relating to pollution control or the protection of the environment.

9 CFR 3.127 (a) Facilities, outdoor: Shelter from sunlight.

On 1/31/05 and 6/21/05, SFZ failed to provide adequate shelter for animals exposed to the sun and rain. This regulation specifies in subsection (a) that when sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight. Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided for all animals kept outdoors to afford them protection and to prevent discomfort to such animals. Individual animals shall be acclimated before they are exposed to the extremes of the individual climate.

9 CFR 3.127 (d) Facilities, outdoor: Perimeter fence.

On 1/31/05 and 6/21/05, SFZ failed to provide adequate fencing for animals located at Golden Gate Park. This regulation specifies in subsection (d) that on or after May 17, 2000, all outdoor housing facilities (i.e. facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g. lions, tigers, leopards, cougars, etc.) bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so it can function as a secondary containment system for the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator.

9 CFR 3.130 Watering.

On 1/31/05, SFZ failed to provide water that was free of contamination to the Bison. This regulation specifies that if potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal. All water receptacles shall be kept clean and sanitary.

9 CFR 3.131 (a) Sanitation.

On 3/29/06, SFZ failed to provide for the cleaning and disposal of waste from the giraffe enclosure area. This regulation specifies in subsection (a) that excreta shall be removed from the primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and to reduce odors. When enclosures are cleaned by hosing or flushing,

adequate measures shall be taken to protect the animals confined in such enclosures from being directly sprayed with the stream of water or wetted involuntarily.

9 CFR 3.131 (c) Sanitation.

On 6/21/05, SFZ failed to provide an enclosure for the Bison that was free of hazards. This regulation specifies in subsection (c) that premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this subpart. Accumulations of trash shall be placed in designated areas and cleared as necessary to protect the health of the animals.

9 CFR 3.131 (d) Sanitation.

On 3/29/06, SFZ failed to provide a program for the control of pests at the giraffe enclosure. This regulation specifies in subsection (d) that a safe and effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

MITIGATING AND/OR AGGRAVATING FACTORS

N/A

ADDITIONAL INFORMATION

Documents provided to Investigator [REDACTED] by Dr. Robert Gibbens, (Exhibit 25), provide additional information regarding the licensing history for SFZ. SFZ applied and was approved for the renewal of their USDA Class C Exhibitor License on 01/24/08 (Exhibit 26). Therefore, they are aware of USDA Regulations regarding exhibiting dangerous animals and the security of their enclosures.

WITNESS LIST

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CASE REPORT DISTRIBUTION (CC)

Program Official:

Dr. Robert Gibbens
USDA, APHIS, AC Western Regional Director

CASE UPDATES

Primary Investigator:

(b)(6), (b)(7)(c)

USDA, APHIS, IES Investigator

Others:

Karen Kraubner-Lucas
USDA, APHIS, IES, Pacific Area Manager

Eric Nickerson
USDA, APHIS, IES Assistant Regional Director

Tim Fordahl
USDA, APHIS, IES Western Regional Director

EXHIBIT LIST

EXHIBIT	DESCRIPTION	DATE	TOTAL PAGES
Exhibit 1	- Letter from Animal Care, Western Regional Director, Robert Gibbens.	12/26/07	2
Exhibit 2	- USDA, APHIS, IES Interview Log of Investigator [REDACTED].	12/28/07	1
Exhibit 3	- USDA, APHIS, IES Interview Log of interviews conducted at SFZ.	12/27/07	4
Exhibit 4	- Photographic templates depicting the tiger enclosure at SFZ and evidence of the tiger escape.	12/27/07	23
Exhibit 5	- Photographic templates depicting the condition of the tiger's paws and claws.	12/27/07	5
Exhibit 6	- Copy of report written by Dr. Gage	01/02/08	2
Exhibit 7	- Photocopies of photographs taken by Dr. Gage of the tiger enclosure and evidence of the escape.	12/27/07	39
Exhibit 8	- Photocopy of State of California, Department of Fish and Game, Arrest/Investigation Report, #AD1821934.	01/11/08	14
Exhibit 9	- Photocopy of California Code of Regulations, Title 14, Section 671.	01//31/08	3
Exhibit 10	- Photocopy of Fish and Game Code, Sections 2118, 2150 and 2193.	01/31/08	3
Exhibit 11	- APHIS Form 7162, Affidavit of VMO Smith.	02/04/08	4
Exhibit 12	- USDA, APHIS, Inspection Report for SFZ.	04/05/07	2
Exhibit 13	- USDA, APHIS, Inspection Report for SFZ.	01/31/05	5
Exhibit 14	- USDA, APHIS, Inspection Report for SFZ.	06/21/05	17
Exhibit 15	- USDA, APHIS, Inspection Report for SFZ.	03/29/06	4
Exhibit 16	- Photocopy of San Francisco Police Department Incident Report #071316282.	12/25/07	39
Exhibit 17	- APHIS Form 7162, Affidavit of [REDACTED]	05/05/08	2
Exhibit 18	- APHIS Form 7162, Affidavit of [REDACTED]	05/05/08	2
Exhibit 19	- APHIS Form 7162, Affidavit of [REDACTED]	05/05/08	2
Exhibit 20	- APHIS Form 7162, Affidavit of [REDACTED]	07/18/08	2
Exhibit 21	- APHIS Form 7162, Affidavit of [REDACTED]	07/18/08	1
Exhibit 22	- APHIS Form 7162, Affidavit of [REDACTED]	08/25/08	1
Exhibit 23	- Photocopy of necropsy report and medical history records for Tatiana.	01/08/08	42
Exhibit 24	- USDA, APHIS Interview Log for Inspector Matthews, SFPD.	10/21/08	1
Exhibit 25	- Photocopies of documents showing the USDA licensing history for SFZ.	01/24/07	73

Exhibit 26 - Photocopy of USDA License application, SFZ Certificate #93-C-0003 and USDA Acknowledgement of Renewal. 01/24/08 12



United States
Department of
Agriculture

December 26, 2007

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO 80526
Phone: 970/494-7478
Fax: 970/494-7461

Tim Fordahl
Western Regional Director
Investigative & Enforcement Services

**Request for Investigation of Alleged Violations
Regarding the Animal Welfare Act, Regulations,
and/or Standards**

Please initiate an investigation on the following individual:

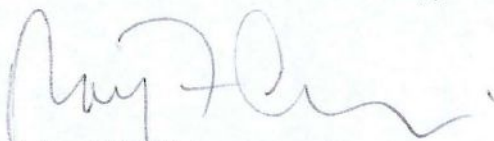
NAME: San Francisco Zoological Gardens
ADDRESS: 1 Zoo Road
CITY: San Francisco, CA 94132
LIC / REG #: 93-C-0003 / customer # 3373

ADDITIONAL INFORMATION:

A tiger escaped from its' enclosure on December 25, 2007, resulting in the death of a visitor.

More information will follow.

If further information is needed, please let me know.


Robert M. Gibbens
Director, Western Region
USDA, APHIS, Animal Care

RECEIVED THIS DOCUMENT

FROM

SIGNATURE





Robert M
Gibbens/CO/APHIS/USDA
12/26/2007 07:50 AM

To Eric S Nickerson/CO/APHIS/USDA, "Karen Kraubner-Lucas"
<Karen.L.Kraubner-Lucas@aphis.usda.gov>, "Timothy R
Fordahl" <Timothy.R.Fordahl@aphis.usda.gov>
cc Ray M Flynn/CO/APHIS/USDA@USDA, "Kathleen M
Garland" <Kathleen.M.Garland@aphis.usda.gov>, "Connie R
Morris" <Connie.R.Morris@aphis.usda.gov>, Karen L
bcc

Subject Fw: Tiger attack SF Zoo Christmas night

Pls initiate an investigation. We'll get the materials to you.....Bob

Robert M Gibbens

----- Original Message -----

From: Robert M Gibbens
Sent: 12/26/2007 09:38 AM EST
To: Karen Eggert
Cc: Ray Flynn; Kathleen Garland
Subject: Fw: Tiger attack SF Zoo Christmas night

Yes - we are looking into it.

Robert M Gibbens

----- Original Message -----

From: Robert M Gibbens
Sent: 12/26/2007 06:57 AM EST
To: Caffilene Allen; Jessica Milteer; Chester Gipson
Subject: Fw: Tiger attack SF Zoo Christmas night

Laurie J Gage

----- Original Message -----

From: Laurie J Gage
Sent: 12/25/2007 10:32 PM PST
To: Robert Gibbens; Kathleen Garland; Michael Smith; Ray Flynn
Subject: Tiger attack SF Zoo Christmas night

Hi All,

Just turned on the TV and there was a live story about a tiger ESCAPE from the SF Zoo and the cat apparently attacked and killed one person and badly injured 2 people at an outdoor cafe (Terrace Cafe) at the SF Zoo. The people were visitors. The two seriously injured people were taken to the local hospital.. no updates yet. This all apparently happened sometime after 5 PM after the zoo closed, but there were still visitors inside the zoo. It is featured as the lead story on the 10 PM news.. Apparently there were 3 other tigers in the same enclosure but none left the enclosure. This is the SAME tiger (Tatiana) that attacked it's trainer last year and bit off her arm(s).. The tiger was shot and killed by police because it was mauling one of the victims. They say the doors to the exhibit were secure, so they are unclear as to how the tiger escaped it's enclosure.

Laurie J. Gage, D.V.M., Dipl. ACZM
USDA APHIS Large Cat Specialist

RECEIVED THIS DOCUMENT
DATE
SIGNATURE



INTERVIEW LOG USDA, APHIS, IES	NAME AND ADDRESS OF PERSON(S) CONTACTED See Below	DATE: December 26, 2007

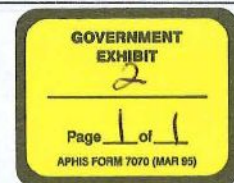
TYPE OF INTERVIEW (BY PHONE OR IN PERSON): NA	ORGANIZATION: San Francisco Zoological Society 1 Zoo Road San Francisco, CA 94132 USDA Exhibitors Permit #93-C-003	TELEPHONE NUMBER: NA
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SUBJECT: Documentation of activity conducted in regards to the incident at the San Francisco Zoo on December 25, 2007 where a Siberian Tiger had escaped from its enclosure and attacked three individuals, fatally injuring one.	LOCATION OF INTERVIEW: NA
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SUMMARY:
About 0900, December 26, 2007, Investigator [redacted] was contacted by [redacted] who explained that there was an incident at the San Francisco Zoo in which a tiger had escaped from its primary enclosure and attacked three patrons of the zoo, one of which was fatally injured. As a result, it was requested by Robert M. Gibbens, Director, Western Region, USDA, APHIS, Animal Care, 2150 Centre Ave, Fort Collins, CO 80526 that an investigation be initiated. Further, [redacted] explained that DVM Michael Smith, Veterinary Medical Officer, USDA, APHIS, Animal Care, Fort Collins, CO 95827-2623 would be the APHIS Animal Care point of contact.

About 1230, December 26, 2007, Investigator [redacted] coordinated with DVM Smith regarding the incident at the San Francisco Zoo. DVM Smith stated that he was going to go to the San Francisco Zoo on Thursday, December 27, 2007 to conduct an inspection and requested that IES investigators accompany him. DVM Smith further stated that he would also be accompanied by DVM Laurie Gage, Large Felid Specialist, USDA, APHIS, Animal Care, Fort Collins, CO 95827-2623 and that both he and Laurie Gage, DVM would assist in this investigation.

NAME OF PERSON DOCUMENTING INTERVIEW: [redacted] Investigator	SIGNATURE: [redacted]	DATE: December 28, 2007
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<h1>INTERVIEW LOG</h1> <h2>USDA, APHIS, IES</h2>	NAME AND ADDRESS OF PERSON(S) CONTACTED: See Below	DATE: December 27, 2007
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TYPE OF INTERVIEW (BY PHONE OR IN PERSON): In Person	ORGANIZATION: San Francisco Zoological Society 1 Zoo Road San Francisco, CA 94132 USDA Exhibitors Permit #93-C-003	TELEPHONE NUMBER:
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SUBJECT: Documentation of activity conducted in regards to the incident at the San Francisco Zoo on December 25, 2007 where a Siberian Tiger had escaped from its enclosure and attacked three individuals, fatally injuring one.	LOCATION OF INTERVIEW: 1 Zoo Road San Francisco, CA 94132
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SUMMARY:

About 9:30 am, December 27, 2007, Investigator [REDACTED], IES [REDACTED] Investigator [REDACTED] Veterinary Medical Officer Michael Smith, DVM, and Dr. Laurie Gage, DVM, Large Felid Specialist, USDA, APHIS, Animal Care, Fort Collins, CO 95827-2623 arrived at the San Francisco Zoo and met with Mr. [REDACTED] San Francisco Zoological Society, 1 Zoo Road, San Francisco, CA 94132, (415) 753 [REDACTED].

[REDACTED] stated about 5:00 pm, on December 25, 2007, the Zoo was closing down for the day when an employee inside the Terrace Café noticed two men standing outside the Café. At least one of the men was bleeding badly and the Café employee assumed the two men had been involved in a fight. The employee immediately called [REDACTED], the [REDACTED] and reported the information. [REDACTED], responded to the Café and observed one individual covered in blood. [REDACTED] called "911" and asked for Police and Ambulance assistance [REDACTED] then observed a loose tiger in the area and called a "Code 1" which informs all Zoo employees that a dangerous animal has escaped its enclosure and is roaming the grounds. According to [REDACTED], Zoo protocol for a "Code 1" dictates that trained employees are to respond to the area "armed" and ready to put the animal down if necessary.

After hearing the Code 1, [REDACTED] responded to the Café with a shotgun loaded with rifled slugs. As he was driving to the Café in a golf cart, he noticed a man lying near the Lion House, not moving and covered in blood. He informed Zoo employees of his observations over the radio and continued to respond to the Café. [REDACTED] arrived at the Café at the same time as the police. The police officers took charge of the scene and asked [REDACTED] to put his gun away which he did. A tiger was then seen near one of the individuals outside the Café. The tiger began to walk away but then circled around and appeared to be moving toward the officers. As a result, the officers fired their weapons at the tiger.

[REDACTED], after counting the shell casings on the ground, believes the officers shot at the tiger 14 times and struck the tiger three times. According to [REDACTED] it appears that the tiger escaped its enclosure and immediately attacked one man on the walkway in front of the Tiger Exhibit. [REDACTED] believes the tiger then followed the other two men, at least one of which was injured, to the area of the Terrace Café.

[REDACTED] stated that there were some sticks, foreign to the exhibit, and at least one pine cone located inside the Tiger Exhibit indicating that someone may have thrown these items into the enclosure or at the tigers. [REDACTED] further stated that [REDACTED] was in charge of the Lion House on the date of the incident. [REDACTED] stated that [REDACTED] left for the day at approximately 3:30 p.m. after the animals were fed and had access to the exterior enclosure of the exhibit. Another employee [REDACTED], [REDACTED], closed the Lion House for the day at approximately 4:30 p.m. by securing all doors to the exhibit. After the tiger was



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discovered outside the enclosure, [REDACTED] returned to the Lion House to account for all of the Lions and Tigers. [REDACTED] also checked to ensure that all gates and public doors were secured and confirm that no one had tampered with the doors since he closed the facility earlier in the day.

[REDACTED] explained that on December 25, 2007, the zoo was fully staffed with Animal Care employees until approximately 4:00 p.m. and stated that there were no closed circuit cameras within the Zoo facility.

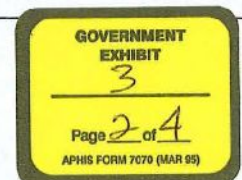
[REDACTED] identified the tiger as Tatiana, a 4 ½ year old female Siberian tiger weighing approximately 250 lbs. [REDACTED] said that Tatiana came to the San Francisco Zoo in December 2005 and on December 22, 2006 Tatiana was involved in another incident where she attacked a keeper who had reached near her cage to retrieve some meat during feeding.

[REDACTED] stated that the Lion House was built over 65 years ago and to his knowledge the zoo has never had an incident where an animal has escaped from the "grotto". The exhibit has been in its present state since 1981 when repairs were made and a layer of concrete was added to a portion of the moat floor. [REDACTED] further stated that a necropsy was performed on the Tatiana on December 26, 2007 by Dr. [REDACTED].

About 1100, December 27, 2007, Investigator [REDACTED], Investigator [REDACTED], DVM Gage, and DVM Smith accompanied Mr [REDACTED] to the tiger exhibit. The following observations were made of the exhibit. The "grotto" area of the exhibit is an outside enclosure offering public views of the tigers. The enclosure is accessible through locked doors from a walkway that runs through Zoo property. From the walkway, the public is protected from the tigers by a small (approximately 3') open railed fence, low dense shrubbery (approximately 4'), and a small 4" concrete curb which is the top of the wall of the moat. The moat is approximately 31' wide. The moat is comprised of concrete and is a dry moat. The wall from the public walkway to the bottom of the moat varies in height with the shortest distance between the walkway and the bottom of the moat measuring approximately 12'5". At the time of our inspection, there was a fairly open section of shrubbery above the 12'5" section of the moat wall.

During our inspection of the "grotto" area of the exhibit, we located possible physical evidence indicative of how the Tiger may have escaped. This evidence was photographed and brought to the attention of law enforcement personnel at the scene. On the wall beneath the 12'5" section there were what appeared to be fresh scratch marks at varying heights that may have been made by the tiger's claws. At the top of this section of the wall, on top of the curb and on the walkway side of the curb, there were more fresh scratch marks. In the dirt beneath the shrubbery and on the walkway side of the curb there were two large keratin claw sheaths. Within a few feet of the exhibit fence on the public walkway were what appeared to be four sets of fresh tiger claw scratch marks in the pavement. There were also several claw sheaths scattered about the area.

Approximately 30 feet, West, of the claw marks in front of the exhibit there was a large pool of blood. This was the area where the deceased victim was found. There was a second smaller pool of blood found directly in front of the exhibit. A third pool of blood was located in front of the Terrace Café where the other two victims had fled to. In addition, some droplets of blood were observed between the pool of blood in front of the exhibit and the Terrace Café. The blood droplets were believed to have come from one of the surviving victims as they left the area of the exhibit and fled to the Terrace Café. Photographs of the exhibit, the scratch marks on the moat wall, the scratch marks on the pavement of the public walkway, the claw sheaths, and the blood pools were taken by Investigator [REDACTED].



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About 11:40 p.m., December 27, 2007, Investigator [REDACTED] interviewed [REDACTED], (415) 753-[REDACTED], [REDACTED] 1 Zoo Road, San Francisco, CA 94132. [REDACTED] explained that she had been around the tiger, Tatiana, during the last three months watching her injection training. [REDACTED] claimed that the tiger's training was progressing normally and she had not witnessed any abnormal behavior by Tatiana prior to the escape. [REDACTED] stated that tigers, when exceptionally motivated, can do incredible things but she had never seen any tiger attempt to jump out from the moat of its enclosure. [REDACTED] believed the tiger had been at the San Francisco Zoo for approximately two years and lived in the enclosure with a male tiger named Tony. [REDACTED] did not have any further information to provide.

About 12:50 p.m., December 27, 2007 Investigator [REDACTED] interviewed DVM [REDACTED] [REDACTED] San Francisco Zoo, 1 Zoo Road, San Francisco, CA 94132, (415) 753-7078. [REDACTED] stated that the tiger, Tatiana, arrived at the San Francisco Zoo in December of 2005. In December 2006, Tatiana was involved in an incident with a keeper. During that incident, the tiger attacked the keeper during feeding when the keeper reached to close to the caged area. [REDACTED] stated that she has been involved in the overall care of the Tatiana since she arrived at the Zoo and that prior to the escape, she witnessed no abnormal behavior. [REDACTED] confirmed that a necropsy was performed by [REDACTED] DVM on December 26, 2007. [REDACTED] stated that they had received test results back on the tiger indicating that a test for rabies was conducted and shown to be negative.

About 1:00 p.m., December 27, 2007, Investigators [REDACTED] and [REDACTED], and Doctors Gage and Smith went with [REDACTED] to the zoo's veterinary clinic. An examination of Tatiana's feet and skull was conducted by Dr. Gage. Dr. Gage pointed out that all four claws on both back feet showed signs of fresh wear and shredding of the nails. This shredding appeared to be the source of the claw sheaths observed on the public walkway in front of the exhibit and consistent with the tiger clawing the wall and pavement. Dr. Gage also pointed out that four of the five claws on the front feet were smooth and had blood on them and that the lateral nails on the front feet were shredded and had pieces of nail sheath peeling off.

After observing the physical evidence at the exhibit and the condition of the tiger's claws Dr. Gage stated that it was her opinion that the tiger escaped its enclosure by jumping from the bottom of the dry moat, up the wall, grasping the small curb at the top of the wall and pulling itself over wall. She believed that the tiger lost the two large nail sheaths found on the public walkway side of the curb, during the process of pulling itself over the wall. In addition, Dr. Gage believed that the scratch marks on the face of the moat wall and nail sheaths on the pavement above the wall further indicate that was the location where the tiger jumped and climbed out of the enclosure. (See Dr. Gage's "Report of the Escaped Tiger Incident at the San Francisco Zoo," dated January 2, 2008)

About 2:30 p.m., December 27, 2007 Investigator [REDACTED] interviewed Dr. [REDACTED], (415) 753-[REDACTED], [REDACTED] San Francisco Zoo, 1 Zoo Road, San Francisco, CA 94132 who was identified as the veterinarian who conducted the necropsy on the Siberian tiger, Tatiana. [REDACTED] explained that the tiger "Tatiana" arrived at the San Francisco Zoo in December of 2005 from a Colorado zoo. On December 25, 2007, the tiger, Tatiana, escaped from her outside enclosure and was shot and killed by police after attacking several individuals. On December 26, 2007 [REDACTED] performed a necropsy on Tatiana at the zoo's Veterinary Clinic. The necropsy revealed Tatiana had good nutrition, had no injury, and had no sign of disease or other illness that would have contributed to the tiger's behavior. Prior to the incident he had not witnessed abnormal behavior in the animal. Based on his necropsy

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examination, the tiger's death was the result of bullet wounds, one causing hemorrhage to the tiger's lung, the other causing a tear of the cardiac muscle. A third bullet wound was observed in the frontal area of the tiger's skull and a small caliber bullet was found in the thoracic cavity. Also during his examination he noted that the tiger's rear nails were torn and frayed. He submitted samples taken from the tiger to the laboratory for testing. The results were not anticipated for several weeks. [REDACTED] provided a photocopy of the tiger's medical record and the preliminary necropsy report.

NAME OF PERSON DOCUMENTING INTERVIEW: [REDACTED] Investigator	SIGNATURE: [REDACTED]	DATE: December 27, 2007
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