

3.30.2016

Good morning, Chairman Mullin and Honored Senators. My name is Ashley McAvey and on behalf of IvoryFreeVermont and the thousands of Vermonters who are behind this bill, we thank you for your care and thought. It is clear that this is a special Committee and we are thankful for your careful consideration. I wish to summarize why this bill needs to be strengthened and passed.

1. You have heard from truly the brightest minds in the world on the crisis and how to solve it. From New Jersey's Sen. Lesniak to Dr. Laurel Neme with a Master's degree in public policy from the University of Michigan and a PhD in public and international affairs from Princeton University, from Kevin Bewick to Nir Kalron. You have heard from the children of Vermont and you have heard from Vermont businesses that own ivory in favor of the strongest bill possible. You have seen photos of iconic animals slaughtered and seen a photo of a young British pilot shot dead just two months ago. There are another 1,000 rangers who have been shot dead trying to protect these animals from greed and you will have to imagine those faces in your mind. I don't know what more we could do to show you that the solution to the crisis on our hands is to stop the demand. And the most effective way to stop demand is to stop the trade. The illegal trade finds any crack it can in the legal trade and it is our duty to do what we can while we still can. New Jersey knew this perfectly well.
2. I would like to address a few misconceptions presented from the opposition to ensure we are all accurate in our facts:
 - a. Mammoth has been included in this bill because any research will show you that mammoth has become a huge cover for elephant ivory. A simple search will show the facts and can explain why we see mammoth included in other states' legislation as well as Vermont's. Please see fact sheet on the back.
 - b. We were displeased to see public forum postings by Gun Owners of Vermont that stated the bill includes ivory from boar and elk—the bill is simply elephant ivory and mammoth. The posting also stated the only way to legally transfer ownership of existing ivory would be to die and that this bill has been proposed by anti-hunting groups—both incorrect. There has been repeated talk of “destruction” including

again in the aforementioned post. Where is this coming from?
Nothing will be taken from you or destroyed.

- c. Regarding the well-intentioned thought of a registry, Barry would like to share his research indicating why this likely would not be prudent given the level of fraudulent claims in past attempts at registries.
- d. Last, it was stated that research from the so-called Elephant Protection Association provided facts for those opposed to the bill. This group is notoriously disrespected and is a front group for pro-ivory traders. It is not in any way shape or form an elephant protection group.

While I truly admire that this Committee is fighting hard to find a solution that will please everyone, the reality is that that solution simply does not exist. In an effort to do so the bill has already been watered down to the point that I am receiving strong recommendations from three of the world's leading and most respected conservation groups including Wildlife Conservation Society, Humane Society International, and International Fund for Animal Welfare that the bill as it is currently written would be setting the bar to a terrible new low and would do more harm than good—to the point that they could no longer support it. We cannot allow a “more harm than good” scenario and surely this is not the intention of this Committee.

If a weak law goes into effect by simply mirroring the federal regulations, what happens when the federal regulations are tightened? And Vermont is much looser than the federal regulations which were never written for the kind of commerce that happens at the state level anyway? What happens when a weak bill goes into law and 45 other states look to Vermont's version for their own-- thereby keeping huge loopholes in 45 states across the nation? Is this what Vermont's legacy will be in our effort to save elephants and rhinos from extinction? **No amount of regret will allow us a chance to do this over. Extinction does not give us a second chance to do this right.**

In closing, I would like to share the perspectives of three Vermonters who could not be here today but are here in spirit:

Mary Louise Smith wrote the attached letter to the House Committee. She is an 85 year old Burlington woman and owner of a 1925 Steinway grand piano with ivory

keys. I hope her voice is heard. Even under a smarter version more in line with the other states as we are suggesting, old pianos with ivory keys would be exempt. It is still heartening to see that she to this day stands fully behind a complete ban.

Next, I share an email I received from Peter Mix of Waterville, Vermont. His mother lived in South Strafford, Vermont.

From: Peter Mix <rhparis1924@gmail.com>

Date: March 27, 2016 at 8:09:30 AM EDT

Subject: Re: Ivory ban Vermont

In 1989 when my son was 10, my mother took him to east Africa along with several other family members. They arrived in Kenya slightly under the weather and on the first morning of their stay in a game preserve, my son and one of my brothers slept late and caused my family to miss the elephant watch they had planned on.

The family who went in my family's place set off for the same drive. 45 minutes from the hotel they were staying in, the party drove through a wooded area and around a curve in the track to come upon elephant poachers who opened fire on the three Land Rovers and killed everyone. The murdered American family was also from the northeast.

I spoke to my son this morning and he remembers in all too clearly. Very sad and scary.

Please let me know if I can do more.

Best regards, Peter

Finally, I share a statement from South Burlington's Martin's Coins & Jewelry, a premier New England **coin and jewelry** dealer which strongly backed H.297 from the very start as it was introduced, mirroring New Jersey's clean bill.

As one of the most respected dealers in Vermont, Martin's Coins & Jewelry is also the oldest dealer with over two decades of experience in jewelry, gold, diamonds, rare coins, sterling silver and watches. Owner John K. Martin, Jr. has appeared as a professional appraiser on PBS's Antiques Roadshow and is one of the most highly respected dealers in the state. I trust that his voice in favor of a strengthened bill similar to other states has equal weight to the voice of the business that has asked for the bill to be shelved.

In making this public declaration to the five Senators on this Committee, John K. Martin, Jr. stated:

"I am proud of my business's backing of Vermont's ivory sales ban. Contrary to what you have been hearing from those opposed, this bill will not have a significant impact on Vermont businesses. As this is my daily business and my livelihood, I have a very good read on what Vermonters have to sell and ivory is something that we do not often see. Whenever I do see ivory coming through my doors and even before the Vermont movement to limit sales began, I repeatedly said no thank you. I had no interest in putting a value on these items and profiting from them.

A clean bill or even a bill with limited exemptions would not put people out of business and would certainly not devastate retirement funds. It may not be comfortable for some to hear, but the truth is, those opposed to this legislation are about their bottom line. For them, it truly comes down to their money. This is a time when we should truly ask what is right and what is wrong.

I have also looked at the results of auctions from some of those opposed and it appears that ivory is a tiny percentage of their business. The ivory I did see included painted ivory from antique miniatures (such as the one I will share with you today that I have owned personally for many years and purchased before I realized the painting was done on ivory). And these items would in fact still be allowed under the reasonable compromise that would put the bill in line with other states' laws.

Particularly when you understand the severity of the poaching crisis right now in Africa, the massive human toll and suffering, entire tourism industries in Africa crumbling (and we do need a stable Africa), not to mention the fact that the US is

the second biggest market behind China, you realize the obligation we have to shut down the present day trade of ivory and rhino horn at the state level. There is no doubt that present day trade—even if the piece is old—directly contributes to demand and the very real crisis on our hands. And given the irrefutable links between the blood ivory trade and terrorist groups, there is no question that we here in Vermont need this law on the books in 2016.

My customers have applauded our stance and I am more determined than ever to see this bill become law. If it can't look like New Jersey, it must at the very least stand with the other states' with similar legislation with limited exemptions for antiques and musical instruments. To have a weak law will not only set a precedent of which Vermont will not be proud, it will create a weak jurisdiction for smugglers. No matter the law, I personally will not buy or sell it, but a weak law will without a doubt send a confusing message to the world regarding Vermont's actions and motives.

I am sorry not to be with you in person today but I have to be at the shop. I welcome any questions about my position from any of you at any time and I am grateful for your time and care with this vital piece of legislation. I hope my words matter in your decision-making process.”

We applaud Martin's Coins and Jewelry for their position and hope that this testimony is valuable to the Committee as we strive for a reasonable compromise.

I would like to share this miniature on loan from John Martin reminding the Committee that even with our proposed legislation this particular object, dating to 1810 and containing approximately 10 grams of ivory would be perfectly legal to still buy and sell. Of note my piece of ivory weighs 30.7 grams and under our proposal, whether it's a documented antique or not, and as it is less than 200 grams but is wholly ivory which is its primary value, could *not* be sold. This is key. [video]

Our proposal attached again in this packet and with a reasonable delayed enactment of 9 months instead of 18 is sound, just, and right. As John Calvelli, Executive Vice President, Public Affairs Wildlife Conservation Society, stated to me, federal law needs to be the basic floor for import/export/interstate trade and the state bans need to be the ceiling—undeniably tighter—to truly affect change. The decision is yours. Thank you.