

From: ashley prout

Sent: Thursday, February 20, 2020 4:33 PM

Subject: [External] Thank you to the Committee and rebuttal to flagrant lies and inaccuracies in Mr. Merrill's testimony. PLEASE READ THIS IN ITS ENTIRETY. LONG BUT IMPORTANT!

Dear Chair Sheldon and Esteemed Representatives,

Thank you most sincerely for your time yesterday and for your care, consideration, and thoughtfulness around H.99 and the critical, critical importance of Vermont acting **now** to stop a trade in Vermont that is decimating these invaluable species-- after 8 years of effort when we had hoped to be 3rd in the nation and are now looking to be the 11th to be on the right side of history.

I was incredibly touched by the comments, questions, stories, and ideas shared and posed by your Committee including the insightful suggestion of adding primates and other big cats to the list--- this kind of thinking shows the depth of compassion and intelligence for what we as a species are doing to all massively threatened, trafficked, and tortured animals--- as you hopefully also read in my article that I sent with my official written testimony yesterday. Clearly, you understand that we are undeniably in what scientists refer to as the *6th mass extinction*, and this one, unlike the prior 5, is entirely due to us, human activity.

While I was grateful to all of you, I am obligated to correct the blatant inaccuracies that were disseminated to you by Mr. Merrill. It is my obligation to correct these flagrant inaccuracies. While he and my team (and thousands of Vermonters with me) can disagree and be on totally opposite sides, there is NO way I can let his lies sit. I will break them down here and also include other ideas that were brought up in general discussion and **I invite Rep. McCullough to please briefly read this email to the Committee before your next discussion to ensure that all Committee members have the following facts.** The inaccuracies that were shared yesterday by Mr. Merrill are too grievous to go uncorrected.

[If you only can do one thing, however, please watch this video: <https://youtu.be/Z5eN3S6Mic0>]

1. Mr. Merrill speaks of the millions of dollars that will be lost when folks can't sell their imperiled wildlife parts. First, my team has done an exhaustive search for over 5 years now of his auction house and others and called dozens of antique dealers in every corner of the state. We have not found any pockets anywhere indicating this scale or candidly virtually any scale of substance-- on the contrary, after one particular search my team member found not one piece of ivory on his site out of the hundreds he had and in calls to antique dealers, not a single dealer had extensive ivory and most had none. So, for starters, these "millions of dollars" to be lost by Vermonters that he talks about are a myth. The other argument is IF there are in fact millions of dollars of trade as he suggests, then all the more reason why Vermont is guilty in this trade and it must be stopped! If it is as vast as Merrill says, we have more blood on our hands than we thought. But, again, from our careful research we found very few products-- meaning little impact on people wanting to continue their profiting from the ivory trade-- and huge impact for the statement we will make to the other ten states, the nation, and the world. And again, the entire purpose of our mission is knowing that we can't have our cake and eat it too-- we can't please everyone. It's standing up to extinction and greed **or** allowing the trade to continue that he so desperately wants to continue. In trying to find a middle ground, we DO have exemptions for all musical instruments and some bonafide antiques. More than that, we run the risk of presenting the weakest law in the nation that would do more harm than good. Surely, this can not be Vermont's legacy in this crusade after all this work.

2. Mr. Merrill referred to my team's mission as comparable to ISIS. This is the second time he publicly did this and it is perhaps the most abhorrent and vile analogy I have ever heard. I should not have to justify it with a rebuttal, but I will. I teach Sunday school, have devoted my LIFE to compassionate treatment of wildlife and humans in my home state and around the world, care for the planet, and work tirelessly (again not for one cent in any of these areas) for suicide prevention having lost my only sibling and dearest friend in 2016. Members of my team are ALL volunteers--- not one penny to any of us- and they are the kindest, smartest, most compassionate people I have ever known. For him to refer to our mission as no different than ISIS is despicable and truly should shed light on his unbelievably misguided and completely warped perspective.
3. Since he brought up terrorism, however, I will take this opportunity to share the FACTS of the connection between the bloody ivory war and terrorism. This from my article that was retweeted by world-renowned National Geographic Investigative Journalist Bryan Christy whom I am in close touch with and who has been championing our team's efforts here in VT from the start. He has risked his LIFE making the direct and irrefutable links between ivory and terrorism. Quote from my article: **New Jersey also recognized the reported links between the [ivory trade and terrorist groups](#). Unlike the ivory trade of the past, the US \$1.4 billion (£1/€1.1 billion) [ivory trade of today feeds crime syndicates and armed militias](#) such as [al-Shabaab](#), [Janjaweed](#), [Boko Haram](#), the [Mai Mai Raia Mutomboki](#), and the [Lord's Resistance Army \(LRA\)](#). [These terrorist groups use blood ivory to finance terrorism and other illicit enterprises all over the world.](#)**

“Meanwhile, as leaders in Europe, the Middle East, and the U.S. strategize about how to stop the ever expanding network of international terrorist organizations. Somewhere in Africa a park ranger stands his post, holding an AK-47 and a handful of bullets, manning the front line for all of us.”

— Bryan Christy, investigative journalist, “[How Killing Elephants finances Terror in Africa](#),” *National Geographic* magazine, August 2015

I have a detailed matrix of the species and terrorist groups that they prey upon. It's 100% fact checked and scientifically based by Tusk Task Force of Seattle, WA. Please let me know if you would like a copy.

4. Mr. Merrill also stated that populations of wildlife are robust and in many many places there are too many elephants implying that there is no crisis! This from a one page document he received from a Trophy Hunter at a Trophy Hunting Trade Show. He is wrong. Please know the facts which include this from Paul G. Allen:

The final results from Great Elephant Census show 352,271 African savanna elephants in 18 countries, down 30% in seven years.

This was an exhaustive and hugely scientific initiative that I urge you to read about here: <http://www.greatelephantcensus.com>



[Great Elephant Census](http://www.greatelephantcensus.com)

UPDATE: China moves to close its ivory markets by the end of 2017. Read Paul G. Allen's statement >> The final results from Great Elephant Census show 352,271 African savanna elephants in 18 countries, down 30% in seven years. LEARN MORE >> www.greatelephantcensus.com

Please also bear in mind that elephants have a 22 month gestational period-- the longest of any mammal. Contrary to what Mr. Merrill stated, they are being slaughtered faster than they can reproduce = the fast track to extinction.

5. Mr. Merrill then stated that all of these robust populations of elephants have created the brilliant idea behind trophy hunting. WRONG again. From my article:

Some may point to legal trophy hunts as proof that the situation can't be as bad as it appears. Wrong, again. [While trophy hunting for threatened species is increasingly controversial in and of itself](#), the number of permits given for elephants is a tiny percentage of the 35,000 elephants illegally poached every year. As a miniscule piece of any national economy, revenue from trophy hunting never accounts for more than 0.27 percent of GDP. For tourism, trophy hunting revenues account for only 1.8% of overall tourism in 9 countries that were studied.

[Even pro-hunting sources find that only 3% of the money actually reaches the rural community where the hunting occurs.](#) Further, an elephant tusk is worth approximately US \$21,000 (£15,502/€17,558) on the black market whereas a recent study showed that the economic benefits of elephant conservation are staggering and is worth more — reporting that the estimated lost benefits of [killed elephants in Africa is US \\$25 million](#) (£18.4/€20.9 million) annually in tourist revenue. With an average age of 54 years in the wild, the comparison couldn't be more obvious on why elephants should be protected to [benefit the communities where it roams](#).

Therefore, the focus should be on preservation of the [African](#) (*Loxodonta africana*) and [Asian](#) (*Elephas maximus*) [elephant to do the most good](#).

Regarding the last fact in my article, above, please note that **UVM Professor Brendan Fisher** did the research for this and he is available if you need more testimony and would like to hear from one of our very own experts here in Vermont directly.

6. I am shocked that Mr. Merrill again brought up Ringling Brothers as our bill has nothing to do with circus animals. However, since he did, I am obligated to show you this video from CBS- and can share dozens and dozens more that are far too graphic to inundate you with here. But, again, since he brought it up, I encourage you to watch this and watch [An Apology to Elephants](#), a 2013 documentary. Perhaps the one connection to our bill is that our bill truly is also about a moral obligation we as humans have to being *humane*. And Ringling Brothers that Mr. Merrill was proudly defending has been shut down because of their documented and irrefutable cruelty to animals-- including mind-bogglingly hard to watch videos of their cruelty to big cats.

<https://www.youtube.com/watch?v=PQvXHAABEZo>



[Ringling Bros. Abuse Accusations](#)

Ringling Bros. Circus is going to court over animal abuse accusations involving elephants used in the show. Debbye Turner Bell reports.

www.youtube.com

7. Mr. Merrill stated that Native Americans are opposed to H.99? I would be very curious to know who specifically from these sacred populations have

stated this? I have a dear friend and mentor in the Abenaki Tribe and would be more than happy to have her and her family deliver testimony in HUGE support of H.99. Native Americans tended to our planet and treated all creatures with reverence, *never greed*. I think it is very important that he tell you his sources as all of my interactions with Native Americans in Vermont have been squarely in complete support of our mission.

8. Mr. Merrill speaks of grandfather clocks and bureaus being taken apart and dismantled. THIS WILL NOT HAPPEN. No one will take my ivory Buddha passed down to me by my grandmother. No one will chip it away or destroy it. This kind of rhetoric is fear-mongering and cannot be allowed. As long as the antique piece has parts of ivory totaling less than 200 grams, it CAN continue to be traded, not destroyed. The KEY element here IS the weight limit as Iris Ho can testify to at your next meeting. Unlike Mr. Merrill's response to the very intelligent question posed to him, new ivory is repeatedly made to look old-- it is cracked and yellowed and one study found that in an antique store in CA, 90% of "antique" ivory was in fact from recently slaughtered elephants. If we were to take off the weight limit as he suggests, a) we would be setting the bar to an all new low and this is NOT the legacy VT wants-- we MUST be in line with the other states otherwise we are doing more harm than good and b) huge, whole tusks and pieces of ivory made to look like antiques could be traded, perpetuating the slaughter. The whole concept of the 200 grams is that for antiques that are proven antiques with SOME ivory on them, they will be exempt from our bill. This is fair and in line with other states (aside from NJ which has NO exemptions per the recommendations of many experts including the federal wildlife agent who already testified for H.297).

9. If you are looking for more businesses to testify, please include John Martin from Martin's Coin and Jewelry. He is very aware of ivory, has ivory,

would NEVER sell it even though he currently legally can and he can speak to you from a local business perspective.

10. For the question of "won't there be a black market if Vermont does this", will you please be willing to have Sen. Raymond Lesniak call in *again* as he did already 4 years ago? He makes a brilliant case and can speak **FIRST HAND** to what has happened in NJ and other states-- NO black market, just an **END** to the trade there. Chair Sheldon also asked about antique dealers in NJ. I have several written documents **FROM NJ ANTIQUE** dealers who championed the effort there and will be more than happy to testify as to "what happened" in NJ after their complete ban took hold-- it is completely positive and fully supports our mission and position. These NJ antique dealers are heroes for what they have done. I am happy to share these letters with the Committee and give you contact information.

11. When Mr. Merrill said how nice it is to send a widow a check from the sale of an ivory piece (after of course he gets his profit), I would like to remind you of the 1,000 men and women **KILLED** trying to stop this trade. As I stated, they are often the **SOLE** income earners. **THIS** is what is sad. Not a widow not getting a check for an ivory trinket. What is sad is the death of Roger Gower (<https://www.bbc.com/news/uk-england-birmingham-36437626>). What is sad is a baby rhino going blind because of dehydration brought on by nearly a week of standing next to its dead mother, who had been hacked to death by poachers, and that baby eventually succumbing to the physical and emotional trauma of that horror and dying itself. Please see these two videos below to truly show what is "sad"-- a widow in Vermont not getting a check is not sad, an antique that doesn't meet the weight requirements and therefore must be **KEPT** and **PASSED ON** instead of being sold is **NOT** sad.



[Roger Gower: Pilot unlawfully killed in Tanzania - BBC News](https://www.bbc.com/news/uk-england-birmingham-36437626)

Image caption Roger Gower was tracking poachers in the Maswa Game Reserve in northern Tanzania . A British helicopter pilot shot by suspected poachers in Tanzania was "unlawfully killed", a ...

www.bbc.com

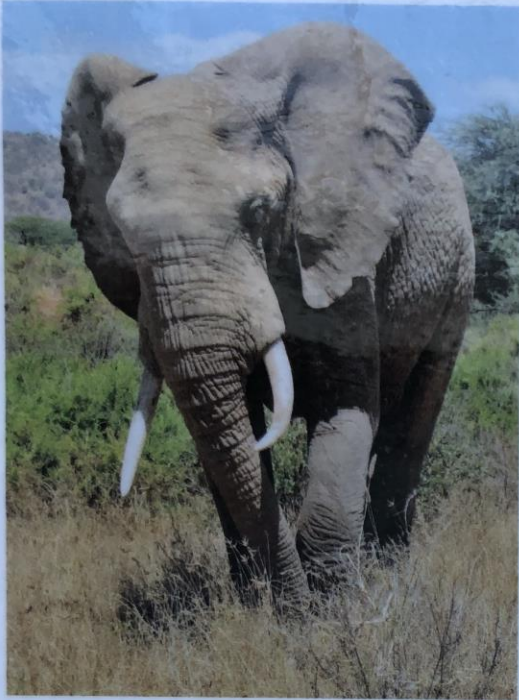
From Chelsea Clinton, why should we care about elephant conservation:<https://www.youtube.com/watch?v=NtV6Cy6tPmI>

12. Last, I want to talk about giraffe-- the bone of giraffe is coveted in gun handles and the hide is used in jackets-- and giraffe tail bracelets, giraffe legs, entire giraffe bodies, cowboy boots and Bibles made of skin, rugs, chairs, throw pillows. This species has been undergoing what is known as the "silent" extinction because of so many eyes on ivory and rhino horn. This has become a horrible crisis-- there are only 95,000 giraffe left-- only about a quarter of even the massively dwindling elephant population. **NY which was the 2nd state to pass ivory/rhino horn ban, JUST passed a law beating us once again making it illegal to trade in giraffe parts.** In Vermont, this trade in this massively threatened species is free and clear. But NOT in NY. They beat us again.

Thank you, all, again. Please call me or anyone on my team so we can answer any questions you have and so that we can PLEASE move H.99 to victory. **It is time. We must put intelligence and compassion and foresight ahead of money. It is that simple.**

Ashley P. McAvey

THIS is what ivory looks like. When you are admiring your family member's gun handle or chess set, please know THIS is what ivory looks like. I am in touch with both photographers who gave me permission to share these with you and Carl Safina is a huge champion of what we are doing here in VT and he is eagerly watching for VICTORY in 2020 for Vermont:



Philo by ©Ike Leonard Conservationists named this Samburu elephant Philo. He was a 15-year-old bull, full of teenage swagger, seen here on Jan. 22.



Philo Corpse by ©Carl Safina Philo, five days later. He was shot by poachers and left to rot, his tusks hacked off.

AND, done by Asher Jay for H.297:



Ivory is NOT Art.

March **Against** Extinction

#ivoryfreevermont

www.ivoryfreevermont.org

by

ASHER JAY