



April 6, 2021

Re: Testimony on bills: H.172, H.316 & H.411

Dear Honorable Members of the House Committee on Natural Resources, Fish and Wildlife:

We are writing to you on behalf of Protect Our Wildlife Vermont's 2,500 Vermont supporters from every corner of the state, in support of bills H.172, H.316, and H.411.

***H.172, An act relating to trapping and hunting***

**Trapping**

I'd like to share a short quote that a Vermont hunter shared with me 11 years ago that has stuck with me: **"There is no one at the other end of a trap pulling a trigger."**

That quote illustrates the fundamental difference between hunting and trapping. An ethical hunter knows what he or she is shooting before pulling the trigger. They know the difference between a buck, a

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spikehorn, a doe, or a dog! Their activity does not result in “accidents” where they shoot someone’s pet or an endangered species. Traps do not offer that level of discretion. In fact, they offer no discretion.

A baited hunk of metal that is set in the woods, including our shared public lands including national wildlife refuges, not only attracts the target species, whether it’s a grey fox, a bobcat, or other animal; that trap also attracts, and catches, protected species and people’s pets. It happens every year in Vermont. However, due to the fact that trappers are not required to report non-target wildlife, it is impossible to know how many non-targeted animals endured life-threatening injuries or who died. We only know of the incidents that are voluntarily reported and end up in the Vermont Fish & Wildlife Department (FWD) records, such as a hunter who noticed a red-tailed hawk and a great blue heron who were killed in traps set for beavers last season.

As the committee evaluates this bill, please consider the following three questions:

**Is trapping ethical?**

**Is trapping a wildlife management tool?**

**Is trapping supported by Vermonters?**

**1.) No, trapping is not ethical**

What is or is not ethical can be subjective. We understand that. But if we could spend our entire in-person testimony to your Committee simply sharing photos and videos of animals struggling in traps, the answer would be a resounding, “No, trapping is not ethical.” It does

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not matter whether we are Republican or Democrat, from the city or the country, we are human beings who possess empathy; and when you see the images of trapped animals, nothing else in our testimony really matters.

We cannot talk about trapping without talking about cruelty. The main difference, again, between hunting and trapping is that traps are inherently designed to inflict prolonged suffering — even if a leghold trap is working 100% as designed, which it rarely does, that trap causes a trapped animal to suffer for long periods of time. **What ethical hunter do you know would be okay with intentionally causing prolonged suffering to a deer and then waiting to kill the animal a day later by bludgeoning or strangling? I'd say not one.**

The evidence of trapped animals shows bloodied paws, broken bones and teeth, and predation by other animals while immobilized in traps, among other cruelties.

Some animals, like foxes and raccoons, are more inclined to chew at the trap and their limbs to free themselves, which results in gnawing off their own paws. There was evidence of this in Windsor, VT, where a young raccoon was found in a shallow pond with her gnawed off limb — she did not escape the trap. She died a long, painful, unnecessary death.

Animal suffering and the ethics of trapping do not seem to be of major importance to FWD employee, Kim Royar, who runs the trapping program. In a March 10, 2020 interview in The Bridge she shared,

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**“More important than how much each individual animal suffers in a trap is DFW’s mission to engage people with the outdoors.”**

What makes us empathetic humans is the ability to recognize suffering, and no amount of whitewashing, including “best management practices” or “padded leghold,” makes what we see with our eyes and hear with our own ears ethical. For example, the jaws of padded leghold traps are simply covered with a thin strip of rubber. Padded leghold traps still cause major physical injuries in up to nearly one-half of trapped animals.<sup>1</sup>

While there’s a lot of attention around how the animal is trapped, there is rarely ever discussion around how these animals are killed. In Vermont, here are no requirements that the animal be killed humanely. **Trappers may legally bludgeon, strangle (oftentimes with a catchpole), place a kill trap over the trapped animal’s head, stomp on the animal’s chest to crush its heart and lungs, drown, or shoot.** The latter isn’t often used because they don’t want to ruin the pelt with a bullet hole. Trappers also complain about the cost of ammunition. You would be charged with cruelty to animals if you killed a dog or a cat in these ways.

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<sup>1</sup> Iossa, G., Soulsbury, C. D., & Harris, S. (2007). Mammal trapping: a review of animal welfare standards of killing and restraining traps. *Animal Welfare*, 16 (3), 335-352.

## 2.) Trapping is not a wildlife management tool

The only animal that FWD ever seems to use as rationale for trapping is the beaver. And bill H.172 allows for the trapping of wild animals causing damage by landowners and municipalities, so that red herring has been effectively addressed already. [The state of Massachusetts has a trapping ban](#) that has worked wonderfully for the countless bobcats, otters, foxes, and other furbearers who are no longer trapped and killed for recreation or for their fur. MA still allows the trapping of beavers who are causing damage that cannot be remedied via non-lethal methods. It's a win / win for everyone, as well as their ecosystems.

A device as nonselective as a leghold or kill trap can never be considered an effective tool to manage wildlife when that tool cannot differentiate between a coyote, a bald eagle, or a domestic dog. FWD has little to no knowledge as to how many non-targeted species are caught in traps since they do not require reporting. We know that the following species have been trapped because the incidents were voluntarily reported by members of the public: turkeys, snowshoe hares, bald eagles, ravens, black bears, barred owl, screech owl, Canada goose, endangered pine marten, and other animals including people's pets. Some research indicates that as many as 18 non-targeted animals may be captured for every targeted animal depending upon the type of trap used, bait, and other variables.<sup>2</sup>

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<sup>2</sup> Iossa, G., Soulsbury, C. D., & Harris, S. (2007). Mammal trapping: a review of animal welfare standards of killing and restraining traps.

Royar, from FWD, admits that bobcats do not need to be hunted or trapped. In an email she sent to one of our supporters on February 25, 2021 she admits that **“bobcat are not typically a species whose population has to be managed through hunting/trapping as we do with species like deer and beaver.”** Additionally, when interviewed by The Bridge and asked if Fish & Wildlife considers trapping an important part of controlling wildlife populations in Vermont, Royar said, **“Not an important part, no.”**

Trappers claim that trapping prevents species from overpopulating and manages disease, but those same trappers kill coyotes, bobcats, and other vital predators who, by nature’s design, don’t overpopulate — those animals actually help keep smaller predators (known as meso-predators), like red fox and raccoons, in check. The trappers’ argument, at its very foundation, is flawed. From a disease perspective, several studies show that transmission of mange is NOT density dependent, rather it is frequency dependent, i.e., it depends upon the per capita contact rate between susceptible and infected individuals.<sup>3</sup> Researchers have found strong links between exposure to rodenticide and the prevalence of mange in wild populations. When a fox, bobcat or other animal eats a poisoned mouse, the poison

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<sup>3</sup> Devenish-Nelson, E. S., Richards, S. A., Harris, S., Soulsbury, C., & Stephens, P. A. (2014). Demonstrating frequency-dependent transmission of sarcoptic mange in red foxes. *Biology letters*, 10(10), 20140524.

weakens the immune systems, making them significantly more susceptible to infection and disease.<sup>4</sup>

Trapping generally removes healthy individuals from the population rather than the sick, aged, or very young animals most often subjected to natural selection. It would be "blind luck" if a trapper were to trap an animal that would have otherwise died of starvation or any other natural cause, so trapping actually works against nature's selection process.

Modern conservation science understands that biodiversity and ecosystem health and function are best managed by protecting natural processes and cycles. Research can tell us how many otters, bobcats, and other animals can be killed without wiping out their populations, but it cannot tell us if trapping is needed in the first place. FWD needs to adopt new and effective approaches to wildlife management.

### **3.) Trapping is not supported by most Vermonters**

According to the following 2017 survey question conducted by the University of Vermont's Center for Rural Studies, **"Should Vermont ban the use of steel jaw leghold, body gripping traps and any types of drowning traps?" the majority of Vermonters said yes.** Michael Moser from UVM can discuss the survey methodology, should the committee be interested. What has happened recently is that trapping lobbyists have tried to garner support for trapping by telling hunters that groups like Protect Our Wildlife are going to come after

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<sup>4</sup> <https://www.nps.gov/articles/researchers-investigate-rodenticides-and-mange-in-bobcats.htm>

hunting and fishing if we ban trapping — they are scare tactics that are unhelpful and untrue.

**To hear trappers hijack the term “minority status” and demand to be fairly represented is disrespectful to those who have been truly marginalized in our state and across our country.** Minority status is not always about the numbers, it is about the imbalance of power. Trappers are a privileged user group that has the support of FWD and Board. It’s also interesting to share that in a public records request that we received earlier this year, Chris Saunders from FWD leadership’s team, was surprised to learn, via a 2019 Department survey, that older, rural VT women had a higher disapproval of trapping than he anticipated, so it really is not a question of city/flatlander vs. rural opinion.

In closing, trappers use the “tradition” argument to justify trapping, but just because an activity was done two hundred years ago does not mean that we should continue doing it. There was a tradition of bounties on bobcats in Vermont. Certain traditions are no longer acceptable and for good reason. Trapping is no different.

Hunting a wild animal as humanely as possible, for sustenance, with respect for the life taken, is supported by many. Trapping is not that. Ten states including Arizona, California, Colorado, Florida, Hawaii, Massachusetts, New Jersey, Rhode Island, Washington—and most recently New Mexico—as well as 85 countries have either severely restricted trapping or banned it altogether because of the inherent cruelty and dangers. As a state that’s been a trailblazer on so many things, we are behind the times here.

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## **Bear Hounding**

We oppose the use of hounds to pursue and hunt bears for these three key reasons:

- 1.) It is unethical and violates fair chase tenets of hunting. It is akin to animal fighting, where hunters are pitting one animal, the bear, against six powerful, tenacious hounds.

Bears do not always tree and when they stand their ground to fight the hounds, it places both the hounds and the bear in danger. This is only exacerbated by the fact that hounders are often miles away from their hounds and unable to manage the confrontations. This comment is from a Vermont bear hounder posted on Facebook...

**“Treed a small cub today. We ran the mom but she only wanted to fight.”**

Here’s a comment from a different VT hounder...

**“My hounds ran and fought this bear for seven hours. He bit two dogs and had no intentions of stopping. I have some sore dogs but alive.”**

*Copies of these comments, and others, are available.*

Hounds pursue bears starting on June 1<sup>st</sup> when cubs are still very small and bears are in compromised physical condition.

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The bears expend vital calories, fat reserves, and hydration all for the hounders' recreation. This training season runs through September 1<sup>st</sup>, which marks the start of bear hunting, including hounds. The hounders run their hounds on bears from Sept 1 through end of November when the bear hunt ends. **Bears are pursued for 6 long months.** They are terrorized IN THE WOODS—WHERE WE WANT THEM—for the hounders' recreation. These untrained hounds present a threat to deer fawn, moose calves, ground nesting birds, and whatever other animal they come across.

- 2.) Hounding violates Vermonters' constitutional right to protect their property. People can post their land to the letter of the law, but due to the uncontrolled and largely unsupervised way in which the hounds are let loose to hunt, hounds end up on private property every year. Hounds place people, domestic pets, and property at risk. Every year we receive emails and phone calls from frustrated Vermonters who feel helpless to protect their property from marauding hounds. Our FWD Commissioner's perennial response to these complaints is, "dogs can't read posted signs."
  
- 3.) The main justification we ever hear from the FWD is that hounds help to haze problem bears. We challenge that justification below. Multiple studies<sup>5</sup> have concluded that hazing methods are only temporary and managing food

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<sup>5</sup> Khorozyan I, Waltert M. Variation and conservation implications of the effectiveness of anti-bear interventions. Sci Rep. 2020;10:15341.

attractants is the only way to reduce bear conflicts. While testifying to the Vermont House Agriculture Committee on 2/10/2021, FWD bear biologist Forrest Hammond shared the following with respect to damage to cornfields, **"The year that you're going to have damage is predictable; it's every other year and it's even numbered years. It's a short time frame, usually lasts about a month from mid-August to mid-September. Farmers who have their corn fields where it's surrounded by highways, houses and fields, those fields have very few problems, so choosing where you plant your corn perhaps, or rotational planting and maybe planting in another crop in the most problem fields in the even numbered years, would make a difference."**

Most of the problems with bears are due to backyard food attractants, such as compost, bird feeders, unsecured chicken coops, etc. If we can change human behavior, then we could solve those problems. Electric fencing offers the highest likelihood of successfully keeping bears out. Effective hazing methods include signal cartridges (bangers, flares and whistling screamers) that are also practical, inexpensive, and easy-to-use. Air horns, paintball and other deterrents have also proven effective. <sup>6</sup>

Also, worth mentioning is that other studies reveal that **in the presence of hunting dogs and with the onset of hunting season,**

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<sup>6</sup> <http://www.bearsmart.com/play/bear-deterrents/>

**black bears will venture/migrate towards paved roads to buffer from hunters and their dogs.** More frequent human-bear interactions may occur as bears leave the woods and enter roadways. This movement also results in more frequent road crossings, especially at night, when risk of vehicle collision is high.<sup>7</sup>

### **H.316, An act relating to control over hunting dogs**

This bill addresses the public safety hazard attributable to bear hounding. The public should not be afraid to recreate on our public lands or in their yards. Bear hounders, a privileged user group, place the general public in danger. We would like to see bear hounding banned outright in H.172, but if that does not happen, then at the very least, hounders should have visual and verbal control over their hounds at all times. As more and more families are recreating outdoors on our public lands, do we want to wait until another tragedy happens before we take action.

[Bear hounds attacked a retired couple and their 7-month leashed puppy on public land in Ripton, VT in October 2019.](#)<sup>8</sup> The attack persisted for over thirty minutes, since the hounds' owner was miles away in his pickup truck, which is often the case with hounders.

Representative Morris had a great question when this was last discussed that we'd like to respond to: Hounders do NOT have to prove to the wardens that their hounds are trained before unleashing

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<sup>7</sup> When top predators become prey: Black bears alter movement behavior in response to hunting pressure, Milena Stillfrieda, Jerrold L. Belantb, Nathan J. Svobodab, Dean E. Beyerc, Stephanie Kramer-Schadt 2015

<sup>8</sup> <https://addisonindependent.com/news/bear-hunting-hounds-attack-hikers-and-pup>

them into the woods. If the hounds end up chasing and injuring a deer fawn or other non-targeted animal, the hounder is not there to intervene and correct the hounds. How is that training?

As someone who owns two powerful dogs, I would never imagine unleashing them into the woods and not being in control over them. Why does this privileged user group get a free pass? If my dogs were to chase a deer in the woods, they could be shot by a game warden, yet FWD endorses bear hounding that invites this undisciplined and dangerous activity.

Lastly, we hear lobbyists trying to make this about other types of hunting with dogs, including retrieving dogs, and again, that's the "slippery slope" angle we hear a lot that makes any change impossible. It is unhelpful and impedes progress. Bear hounding is unique for many reasons, including the duration of the pursuits and the types of hounds that are used. For example, when hunting snowshoe hare, the hare will run a circle around and around, making sure it keeps the dog close enough and then will simply hop off the trail, so the dog continues to run that same circle completely missing the fact that the rabbit is no longer running that circle.

***H.411, An act relating to the retrieval and disposal of wild animals***

I've testified on this in previous years and I've shared our prior testimony with the committee. I cannot think of a more credible advocate for a ban on wanton waste than retired game warden, Don Isabelle, who tried to pass a wanton waste prohibition via the Fish and

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Wildlife Board in 2018. In his letter to the Board, he documented the wanton waste of muskrat, coyotes, deer, turkey, and other wildlife. In addition, in 2009, a survey of Vermont game wardens revealed that hunters and anglers were not consistent in their efforts to retrieve fish and wildlife. **The Department estimated that as many as 60 to 100 wanton waste events occurred each year**<sup>9</sup>— many of which were very apparent to the public. In response, the Department supported a ban on wanton waste at that time, but the effort eventually fell apart at the FW Board. **So, it is clear that this will not be accomplished via the rule-making process.**

This bill simply says that if you are going to hunt or trap a wild animal, during the legal season, that the meat should be eaten, and the fur utilized. What ethical sportsman would oppose that? There are fair exemptions for diseased animals or animals damaging property. A wanton waste law only applies to the intentional act of hunting and trapping a wild animal and to be certain that the animal is utilized. I've seen countless examples of crows being used as target practice or coyotes shot and left to rot in the woods where they were killed. We see this in the May turkey season where hunters kill a coyote just because they can. While we would have preferred to see coyotes included in the utilization section of this bill, we feel that this bill summarizes the compromises made by various parties involved.

Respectfully,

Brenna Galdenzi, President & Co-founder

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<sup>9</sup> [https://www.timesargus.com/features/weekend\\_magazine/sportsmen-knock-f-w-proposal/article\\_a98243bb-a413-5c83-b80e-0dac136d661a.html](https://www.timesargus.com/features/weekend_magazine/sportsmen-knock-f-w-proposal/article_a98243bb-a413-5c83-b80e-0dac136d661a.html)