



Coalition for Ethical Deer Hunting

Defending Property Rights

www.cfedh.com

Coalition for Ethical Deer Hunting

We support:

- the right of land owners and lease holders to use their land without disruption from trespassing deer dogs.
- the use of dogs to hunt squirrel, coon, rabbit, ducks, quail, hogs, and other small game.
- additional regulation of dog-deer hunting to reduce or eliminate deer dog trespass on private land.

Dog-deer hunting is unlike other types of hunting that use dogs.

- Since deer dogs are not under the handlers' control, free-ranging deer dogs often run for miles.
- Without regulatory consequences for deer-dog trespass, dogs are routinely put on tracts that are too small to dog-deer hunt.
- Regardless of tract size, sufficient care is not always taken to catch dogs before they get on other's land.
- Therefore deer-dog trespass occurs often.

Bird dogs are under handlers' control.



However, free-running deer dogs...



...trespass on other people's land, ...



Bushnell  Camera Name0 44°F6°C  01-01-2016 12:30:03



Bushnell  Camera Name0 44°F6°C  01-01-2016 12:35:22

...go wherever the deer goes, ...



... and eliminate landowner's right to exclude unwanted activity.

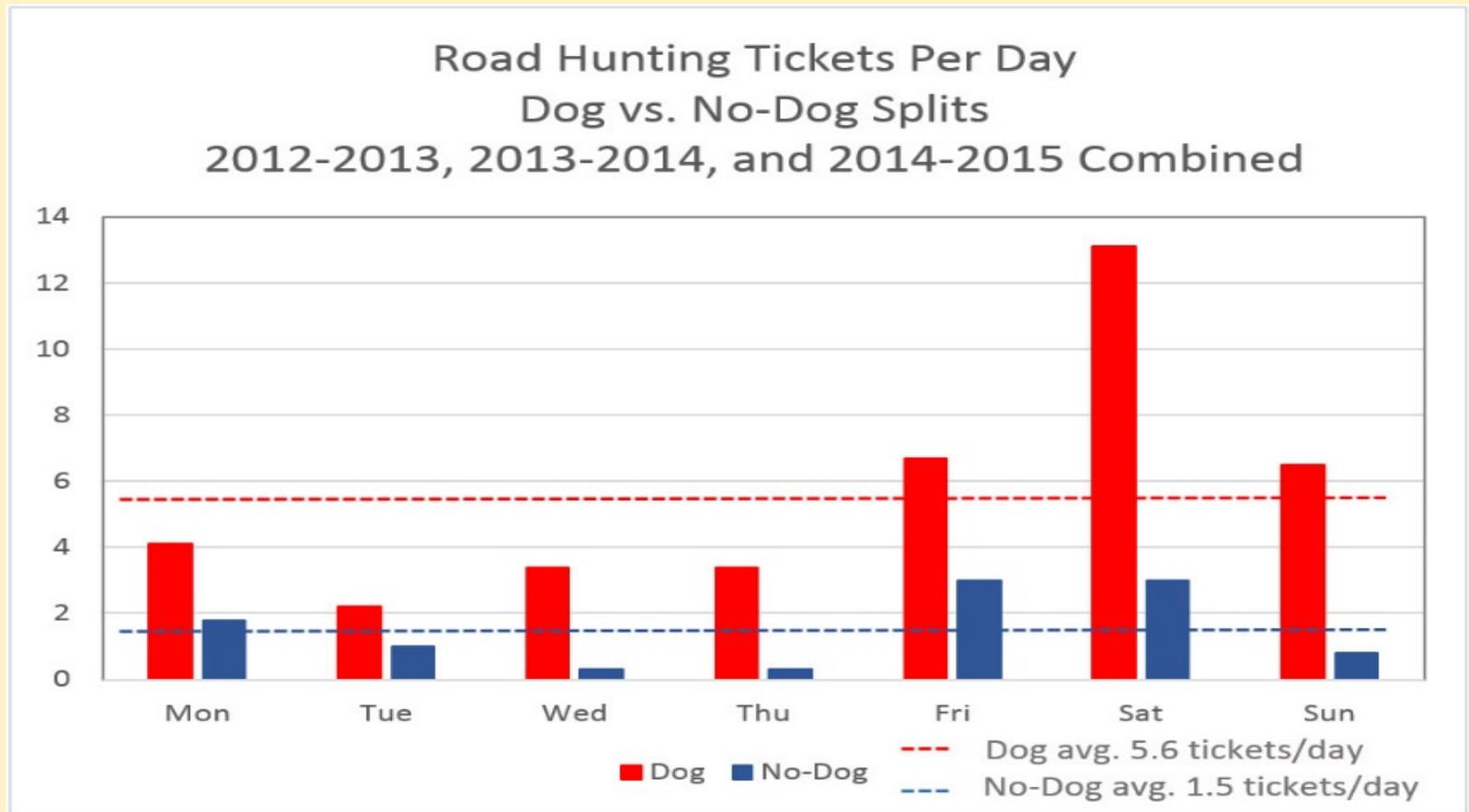


Dogs running on others' land leads to multiple problems, including...

- Road hunting....
- Dogs not being retrieved in a timely manner and....
- Dangerous confrontations between dog-deer hunters and the public.

...all stemming from the violation of property rights.

Road hunting study in Mississippi: Sullivan & Swoope, 2015



Road hunting on a public road



Deer dogs left out after legal hunting hours



Many landowners and rural residents have experienced negative side effects associated with dog-deer hunting such as:

- Blocking roads
- Property damage
- Threats and bullying

Dog-deer hunters blocking the road



Arson



Defaced PRIVATE PROPERTY sign



Threat



Who is affected by deer-dog trespass?

- family forest land owners,
- forest land leaseholders,
- still hunters,
- rural families,
- motorists

Private forest landowners are essential to Mississippi's future.

- Approximately 80 percent of Mississippi's forest land is privately owned
- Actively managed land provides clean air and water and essential wildlife habitat

Wildlife is important to family forest landowners....

- A recent report on Southern privately-owned non-industrial forest land produced by the American Forestry Foundation showed that:
 - 87% of Forest landowners stated wildlife as the top reason they owned their land
 - 72% have implemented management practices for wildlife
 - 73% want to do more for wildlife in the future
 - Other reasons included scenery, privacy, recreation and hunting.
 - Timber income was listed as the least important reason

- Southern Wildlife at Risk: Family Forest Owners offer a solution. American Forest Foundation, 2016

Dog deer hunting is detrimental to the resource

- A study done in East Texas by the Texas Parks and Wildlife Department showed that the density of deer on dog hunted tracts average only about 25% of that on non-dog hunted tracts (Spencer, 1986).
 - Why should an unwilling land holder find himself subject to that?
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- Spencer, G.E. 1986. Hunting deer with dogs. Texas Parks and Wildlife Fed. Aid Rep. 56. 71 p.

Essential Elements of Quality Deer Management

- Quality Habitat maintenance
- Culling inferior deer
- Selective harvest
- How can you manage for quality deer when other people's deer dogs are running deer during the rut and the fawning period, running deer off your land to be shot on the road or other's land, creating disturbance in general, and ruining your still hunts?

Property rights consist of a bundle of rights that include...

- Possession
- Use or control, including *the right to exclude unwanted activities*
- Disposition (you can sell your land)
- The flip side of rights is obligation, which forms the basis of nuisance law. Owners are obligated to avoid creating a nuisance for their neighbor.

...Lease holders have the same bundle of rights as landowners, except for the ability to transfer the land.

Still hunt ruined by trespassing deer dogs

- Think any deer will come to this food plot?



Trespassing deer dogs are a nuisance

- Uninvited Thanksgiving guest



Guaranteed Constitutional Rights...

- Apply to everyone, equal protection under the law, as stated in the 14th Amendment
- Are not a numbers game for political positioning
- Cannot be abused in a civilized society

Land use has changed in recent years...

Dog deer hunters cite their tradition, but land ownership has become much more fragmented and urbanized since their grandfathers' time.

Regulatory Consequence is needed for deer dog trespass

- To assure public safety from road hunting, threats and intimidation.
- To minimize confrontations between dog-deer hunters and landholders (at least one person was shot in Wayne County by a dog-deer hunter).
- To protect property rights.

A potentially volatile situation.



A permit system is one possible solution

- A tract of land is permitted for dog-deer hunting.
- Permits are issued to those hunting that tract.
- Each dog is tagged with the permit number on it.
- Should a landowner catch a deer dog on their land, they call the game warden and a ticket is issued.
- The first deer-dog trespass incident is penalized with a fine.
- The second incident is penalized with a fine and 20-days off next year's dog-deer hunting season.
- The third incident is penalized with a fine and the entire next year's dog-deer season eliminated for that tract.

Benefits of the Homochitto Permit System implemented since 2011

- Calls to game wardens are down 60%.
- Complaints to US Forest Service from neighboring landowners are down dramatically.
- Deer dogs are retrieved after the hunt rather than left out.
- Dog-deer hunters have an incentive to keep dogs on the permitted property (Homochitto National Forest)
- Confrontations have been reduced

The regional picture

- Only nine Southern states allow dog-deer hunting.
- The rest of the country has banned dog-deer hunting entirely, including our neighbor to the north, Tennessee.
- Texas banned the sport entirely in the late 1980s.
- Georgia banned the sport on all but the southeastern portion where a permit system was implemented.
- A large portion of Arkansas and North Carolina are closed to dog-deer hunting.
- Many counties in Alabama have implemented a permit system while others have closed dog-deer hunting.
- 81% of the National Forests in the US are closed to dog-deer hunting, including Kisatchie NF in Louisiana.

Only a small portion of Mississippians hunt

	Number	Percent
MS population, est. July 1, 2015	2,992,333	
MS population 18 and older, est. July 1, 2015 (potential voters)	2,265,196	75.7%
Potential resident deer hunters (RES SPORTSMAN & RES All GAME licenses purchased), 2015 (percent of potential voters)	153,761	6.8%
All hunting/fishing licenses purchased, 2015 (percent of potential voters)	274,869	12.1%

(Potential resident deer hunters does not include lifetime or exempt licenses, only the number of annual licenses that allow a hunter to hunt deer, whether they actually do or not.)

Hunting population 18 years and older by county

County	Population	Deer licenses	Percent	All licenses	Percent
Hancock	33,520	1,930	5.8	5,888	17.6
Harrison	142,772	5,297	3.7	20,229	14.2
Jackson	106,575	5,391	5.1	17,007	16.0
Pearl River	42,604	2,885	6.8	5,841	13.7
Stone	13,572	1,244	9.2	2,497	18.4

Summary

- Dog-deer hunting is unique among hunting sports that use dogs because it requires large tracts of land and active hunter intervention to keep the dogs from trespassing on private property.
- Currently there is no incentive to keep deer dogs off other people's land.
- Other states are far ahead of Mississippi on regulating dog-deer hunting.
- A small vocal minority are impinging on the rights of the majority.
- With incentives provided by a permit system, road hunting, intimidation, nuisance, and thwarting of landholder management objectives are reduced.
- Property rights must be respected in a civilized society.