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## THE STATUS OF THE STEEL TRAP IN NORTH AMERICA

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**ABSTRACT:** This paper will discuss strides taken to limit or eliminate use of the leghold trap and will explore recent trends in the animal rights movement's attack on fur and traps. A current legislative effort in Ohio, which seeks to protect wearers of fur and other animal products, as well as retailers, will be examined. Finally, the outlook as to what the future holds for the anti-trap debate and what we must do as responsible conservationists is discussed.

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It is a pleasure to be here and to have an opportunity to address this conference. On behalf of all of us at The Wildlife Legislative Fund of America, I want to thank Ron Thompson, Terrell Salmon, and all of our friends with the Vertebrate Pest Council for inviting me.

As you know, my organization is highly supportive of the work of animal damage control agencies and specialists throughout the nation. We have enjoyed close working relationships with many of you and have been proud to serve your interests in our defense of trapping, hunting, and wildlife management.

I was asked to speak to the status of the steel trap in North America. I am happy to address that topic. I also want to discuss with you the status of the animal rights movement as it affects trapping and the fur trade, as well as my perception of what the future holds for this debate.

Many of you who have been following the political struggle over the question of trapping in recent years have, no doubt, perceived a shifting of the battleground and a visible shift in tactic by the animal rights movement. The sheer volume and thrust of the anti-fur publicity has lulled any number of trappers and wildlife managers into a false sense that legislative bans on the leghold trap are no longer a priority of the animal rightists.

I hate to burst anyone's bubble, but the facts speak otherwise. As the only organization which has consistently fought anti-trap proposals in the states and Congress over the past dozen years, I assure you that we have seen no slackening of effort in the animal rightists' pursuit of legislatively mandated trap bans at the state, and certainly at the local, levels.

If anything, the animal rightists have simply broadened their attack; they have not slacked off in any area.

Starting 4 years ago, an obscure Pennsylvania organization, Trans-Species Unlimited, began a campaign that has caught on throughout the animal rights movement. The organization set out to make the wearing of fur garments unfashionable. It seeks to do this through intimidation of fur merchants and consumers, a series of publicity stunts, as well as paid and public service advertising. In all fairness, Trans-Species deserves major credit for the strides taken in recent years by the animal rightists. The so-called "Fur Free Friday" effort, which stages publicity stunts via demonstrations in major media centers on the day after Thanksgiving, has caught on with any number of animal rights groups. It was originally the brainchild of Trans-Species Unlimited. Visible media campaigns staged by The Humane Society of the United States, People for the Ethical Treatment of Animals, and others all have their roots in the campaign started by Trans-Species 4 years ago.

The stated purpose of the movement-wide campaign is to dry up the market for fur fashion; as I've said, to make the wearing of fur unfashionable. The campaign, as I'm sure you've noticed, is highly visible. The animal rightists have done their homework and have successfully exploited media opportunities. The many and varied media accounts enjoyed by the animal rightists in the anti-fur campaign do not come by accident. They are the products of a huge amount of work and the dedication of considerable financial resources.

Virtually every national talk show and nearly all of the "advocacy journalism" shows-20/20, 48 Hours, Prime Time, and the like-have covered the anti-fur topic. So have all of the news weekly magazines. Press clippings of newspaper accounts over the past 2 years would fill a small-town library.

But, what effect has all of this had? In real terms, very little, to be frank. Fur sale volume is up. Profits are down, industry-wide. Why? Industry watchers, including a number of journalists of the popular press, put the blame on the glut of mink crowding warehouses throughout the world. The industry has always used mink as its principal economic bellwether; sales of all fur, long or short-hair; ranched or wild, are dependent upon what mink is doing. There's just too much supply at present, which has the effect of driving prices, hence profits, down.

The animal rightists like to take credit for the dwindling profits, naturally, but their claims won't hold up to much scrutiny.

What's more, in our opinion, their efforts are not likely to have much effect in the future. The fur-buying public constitutes what would be considered in marketing circles a very vertical group. It has specific characteristics, in terms of demographics, which strongly suggest that it is not likely to be swayed by the intimidation tactics of lower-scale people. As consumers, people look to peers on their own socio-economic scale and the one immediately above for direction when making buying choices. The fur buyer is upper-middle-class to upper-class. The animal rights protestors play to a middle-class and lower audience. This is particularly true now that the movement has seen fit to identify itself with the radical term, animal rights, and the extremism and terrorism which the term more and more connotes. Upscale people tend to steer clear of extremism and are not swayed by it. That's probably one reason that they become upscale people, if you stop to think about it.

My point is that all of the publicity in the world cannot outlaw the wearing of fur garments. Only a legislative body can accomplish a ban on furs. The principal threat to the fur trade today comes from government action.

And that threat is still with us, despite what may be misconstrued as an abandonment of the campaign which for

the past 15 years or so has focused on a legislative ban of leghold traps.

Please, do not be misled. The anti-trap campaign is very much alive. We have seen no lessening of the number of anti-trap bills in the legislatures, nor have we witnessed any lessening of intensity mounted by the animal rightists in their campaigns for these bills. Trappers, animal damage control agencies, state and federal wildlife agencies, and the fur trade itself is still very much at risk.

For instance, in 1989 we monitored some 40 bills in 22 states which dealt with trapping. All but two would have banned or severely restricted trapping, and the vast majority called for outright bans on leghold traps.

And the fights are not getting any easier to win. Knock-down, drag-out fights took place in a number of states over anti-trap bills. They included New York, Vermont, Massachusetts, Indiana, Connecticut, Delaware, California, and Arizona. Certainly, the publicity generated by the anti-fur campaign in its attempt to make fur unfashionable is a factor in these fights.

Already in 1990, we're looking at 16 bills in 11 states. And this is an election year-supposedly a down-time for legislation! I have no doubt that the number of bills and the intense campaigns mounted to achieve their passage, will equal or surpass what we dealt with in 1989.

We've already had one success this year. An anti-trap bill in Delaware was defeated in committee. The most serious threat so far in 1990 is a Colorado bill which seeks to ban leghold traps. An effort is being made right now in that state to get the anti-trap campaign to the fall ballot, statewide. Without going into detail, that effort does not appear to stand much of a chance this year. However, it is not out of the realm of possibility, given the growing strength of the animal rights movement in the state, that we will see an anti-trapping ballot measure in Colorado within the next few years.

Throughout the 12 years of the existence of The Wildlife Legislative Fund of America, the animal rights movement has not achieved much in terms of filling out its anti-trap agenda. There has been change worth talking about in only three states and two of these are positive situations. Tennessee and Massachusetts have seen adoption of legislation and regulations, respectively, which permit the use of land trapping with the new padded jaw traps, such as Woodstream's cushion-hold trap. Both were hard-won fights. The use of leghold traps on land in both states was banned in the early 1970s. In Tennessee, a legislative fight which raged throughout several sessions of the state legislature resulted in approval of the use of this device for land trapping. In Massachusetts, a series of court actions opened the way for adoption of regulations by the state wildlife agency to permit use of the padded trap.

The only negative situation occurred in New Jersey. In that case, the state legislature passed a bill banning use, possession, manufacture, and transport of leghold traps. A state appeals court upheld the legislature's action and denied use of padded traps in the state in 1985.

During our existence, literally hundreds of bills have been introduced in dozens of states, which have sought to ban trapping. Time and time again, sportsmen and other affected interests have risen up, formed coalitions, and have mustered the manpower and funding necessary to defeat them. We, as an organization, are proud to have been at the forefront of virtually all of these battles, and at the forefront of the Ohio

and Oregon election issues which sought to ban trapping at the ballot box.

Coalition building has been a big part of the work that we have lent to these efforts, in addition to lobbying, campaign direction, and materials production. Hunters, ranchers, farmers, veterinarians, public health officials, timber companies, and a host of other affected interests have participated in these coalitions.

I have always found interesting, and certainly frustrating, the difficulty we've had with getting fur ranchers involved in these coalitions. Early on, the clear message that came from the ranching community was that it was ready to give up the trap. Despite our warnings that a ban on the leghold trap was only the first step toward putting the rancher out of business, the principal fur ranch organizations, with painfully few exceptions, consistently stayed away from the coalitions we built.

I now find it interesting that since the public relations war has begun, the ranchers have been a trifle more accepting of trapping and trappers. The ranchers are infinitely more vulnerable in the public debate. That is, a strong case can be made for trapping, backed up by legions of biologists, that trapping surplus furbearers makes for good wildlife management and helps solve problems for man and animals alike. You can't make such a clear and compelling case that fur ranching serves the public welfare. Let's hope, for the ranchers' sake, that their industry doesn't find its survival hanging in the balance of a popular vote in some state anytime soon.

On a more positive note, I would like to report on an issue in which we've been deeply involved over the past several months. I mentioned earlier the animal rightists' intimidation campaign-spitting on fur wearers, uttering obscene and coarse threats, blocking the entrances to fur shops, and the like.

I'm sure most of you know that 35 states have enacted legislation which specifically forbids animal rightists from interfering with hunters and trappers in the field. This is an effort we started in 1982, and we are very proud of the results.

It occurred to us that we could do the same thing for the fur retailer and the fur wearer. Our bill, now before the Ohio General Assembly, makes it a fourth-degree misdemeanor for anyone to engage in these kinds of intimidation tactics designed to drive the fur trade into ruin. It elevates penalties for the existing disorderly conduct and assault statutes. The beauty of the bill is that it puts police agencies and prosecutors in position to have a clear interpretation of the law and hence crack down on violators. As the existing codes stand, a police officer or prosecutor may have a difficult time telling where unlawful actions end and Freedom of Speech protections start. If we are successful with this bill, they won't be faced with that problem and the animal rightists are going to be behind a serious eight ball when it comes to continuing their use of intimidation tactics.

The bill appears well on its way to clearing its Senate committee by a large margin. Its chances on the Senate floor appear excellent, as they do in the Ohio House of Representatives. You will want to keep an eye out for opportunities to seek similar legislation in your states.

We've been struck with the hue and cry which went up from the animal rights community upon introduction of this bill. Cries of "foul" immediately went up. Unfortunately for the animal rightists, they do not have a leg to stand on when

arguing against it-unless they are serious about being perceived by the public as a lawless mob. They did try to argue that the bill is unconstitutional, and even managed to win a little sympathy from some media for this protest.

However, we have been successful in making our case that this legislation is every bit as constitutional as existing Ohio disorderly conduct and assault statutes. The latest wave of media coverage, which followed a press conference we called to outline the bill's constitutional soundness, left the animal rights spokesmen limply crying in a major daily newspaper, "Why are they picking on us? Why aren't they going after the people who bomb the abortion clinics?" We've been able to take away their only possible argument and have them reduced to a defensive posture.

This speaks to an important tactic which our side needs to be more aggressive in pursuing: We must stay on the offense as much as possible. We should make the animal rightists justify their actions to the public. More importantly, we need to make them expend their financial and manpower resources while defending against our offensive programs to damage their credibility and their ability to attack, intimidate and malign our side with impunity.

What does the future hold for us as the animal rights debate enters the new decade? I predict that the future is bright-if we can secure a commitment from all interests adversely affected by the movement. That commitment, quite simply, is to unite and to expend the manpower and financial resources necessary to defeat it.

That means coalition building, the basis of success in every instance in which our side has achieved victory. Ideally, such a coalition would include all affected farming and ranching interests, the medical and industrial research communities, wildlife interests and others-the rodeo people, circuses, zoological gardens, etc.

However, more important in the short term is that we draw the various wildlife interests-particularly sportsmen-into a tighter and more motivated coalition. Sportsmen offer something which no other interest can match: the numbers necessary to wield the political clout necessary to offset the animal rightists' demands.

This is a key mission of my organization. We have made some significant strides, particularly through our PROTECT

WHAT'S RIGHT program. This program unites sportsmen for their own defense and for the conservation education of the nonhunting public. We outfit sportsmen's groups with an array of action-oriented materials which enables them to get their message to the public. The program is now operational in some 600 communities in 48 of the states.

More work is needed. You, and the agencies you represent, are a key ingredient. We need your participation and cooperation in the defense of outdoor sports and wildlife management.

You can wield significant influence when you work with sportsmen in organized campaigns to defend your-and their-interests.

Finally, how will the war be won? Two things need to happen. First, we need to tell our side of the story to the public. It rankles me to think that the great success story of wildlife management, perhaps the most dramatic story of its kind in this century, is the best-kept secret in America. That must change! We have to get our message to the majority of Americans who will decide our future.

The next thing which must happen: We must expose the animal rights movement to the public as socially aberrant, an irresponsible movement which seeks to tear down institutions within our society and elevate animals to a par equal with that of human beings. The public still does not understand that "animal rights" does not mean "be kind to animals." True, in many instances the animal rightists are proving to be their own worst enemies. This is most evident in their use of violence to achieve their aims. Even so, a vast majority of Americans do not know the difference. It is up to us to tell them-and we must do it in a credible, responsible manner.

Why must we do these things? For a very simple reason-SURVIVAL! The public will turn against us, and wildlife resources will be the victim, UNLESS we rise to the occasion and defeat the movement before it defeats us.

We owe this much to the conservationists-sportsmen and wildlife managers alike-who came before us and laid the groundwork for the modern success story of wildlife management. And we owe it to future generations who otherwise will never have the opportunity to appreciate our nation's wildlife if we fail to act at this crucial time.