

# MARYLAND STATE BAR ASSOCIATION

## ANIMAL LAW SECTION

January 19, 2021

Senator Paul G. Pinsky  
Senator Ronald N. Young  
Senate Education, Health, and Environmental Affairs Committee  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

RE: Written Testimony from the Animal Law Section of the Maryland State Bar Association in support of SB 200

Dear Senator Pinsky, Senator Young, and Committee Members:

The Animal Law Section of the Maryland State Bar Association (the “Section”) is in support of SB 200, which would prohibit a person from sponsoring, conducting, or participating in organized contests that have the objective of killing a coyote, fox, or racoon for prizes or monetary awards, and would establish a \$25 fine for each coyote, fox, or racoon killed in violation of the Act.

I. KILLING CONTESTS ARE AN UNACCEPTABLE METHOD OF ECOLOGICAL MANAGEMENT

Killing contests are an unacceptable method of ecological management and fail to utilize any scientific principles. Killing contests target predator species such as coyote, fox, and raccoon, species which have no bag limit in Maryland.<sup>1</sup> The practice incentivizes the indiscriminate and unlimited killing of animals while masquerading as conservation. Killing contests contribute to the decline of Maryland’s biodiversity and ecosystem functions and should be banned in favor of science-based ecological practices.

II. WANTON WASTE REGULATIONS DO NOT APPLY TO KILLING CONTESTS

Wanton waste laws prohibit the intentional waste of certain wild animals. However, neither state nor federal wanton waste regulations apply to the predator species which are hunted during killing contests. The Maryland wanton waste regulation<sup>2</sup> applies specifically to deer hunting, while the Federal wanton waste regulation<sup>3</sup> applies to migratory game birds.

III. LEGISLATION IS NECESSARY TO REGULATE KILLING CONTESTS

Legislation is necessary to prohibit killing contests because the Judiciary is not positioned to systemically regulate killing contests or establish a ban through case law.

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<sup>1</sup> 2020-21 Maryland Guide to Hunting & Trapping. (2020). Maryland: Maryland Department of Natural Resources.

<sup>2</sup> COMAR 08.03.04.24

<sup>3</sup> 50 CFR 20.25

Under Maryland's current laws, it would be challenging for a plaintiff to establish standing and/or identify a cause of action for the extermination of Maryland's predator populations via killing contests.

A potential plaintiff may also experience challenges related to the collection and preservation of evidence. Killing contests occur in isolated locations and provide a remarkable level of privacy to participants, who have little incentive for accountability.

The Animal Law Section appreciates the General Assembly's interest in strengthening Maryland's animal laws and in advancing Sustainable Development Goal 15. Please take this testimony into consideration, as well as the MSBA Animal Law Section's support, and vote in favor of SB 200.

Respectfully,

/s/

Kimberly Fullerton, Esquire

*Immediate Past Chair*

*Animal Law Section of the Maryland State Bar Association*

CC: Richard A. Montgomery, III  
Director of Legislative and Governmental Relations  
Maryland State Bar Association