

SB0611_Testimony_2A_Maryland.pdf

Uploaded by: John Josselyn

Position: FAV



Senate Bill 0611 Frederick and Washington Counties – Bow Hunting Openly Carrying Handguns FAVORABLE

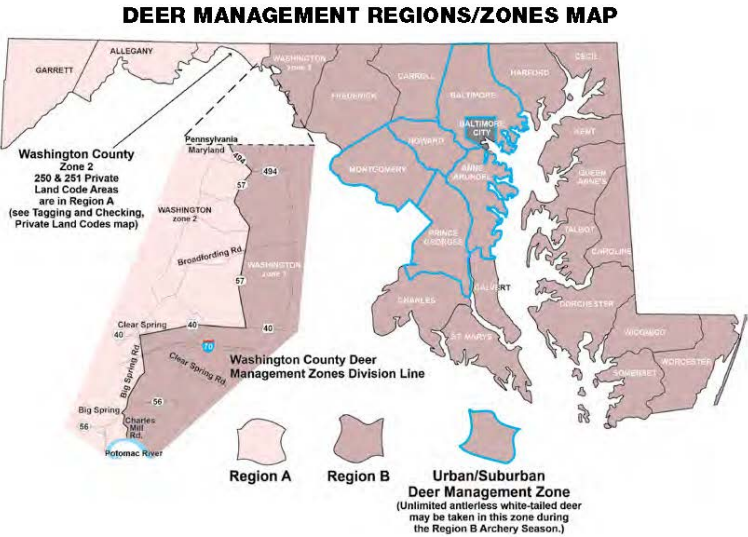
Current law provides that a bow hunter may wear and carry a handgun while hunting deer in Region A as a reasonable precaution against black bears. As shown on the map below, Region A is comprised of Garrett and Allegany Counties and the western portion of Washington County. Due to successful conservation practices, the black bear population has increased in Area A and the black bear population has now significantly increased in the remaining portion of Washington County and into Frederick County.

This bill simply extends the area where a bow hunter may carry a handgun to include all of Washington and Frederick Counties.

DEER HUNTING

REGION A: Allegany County, Garrett County and the western portion of Washington County (Zone 2, Private Land Code Areas 250 and 251) that lies west of a line beginning at the intersection of Rt. 494 and the Pennsylvania line, south on Rt. 494 to Rt. 57, south on Rt. 57 to Rt. 40 at St. Paul's Church, west on Rt. 40 to the junction of Big Spring Rd. and Rt. 40 in Clear Spring, south on Big Spring Rd. to the junction of Rt. 56 at Big Spring, following Rt. 56 west to the junction of Charles Mill Rd., then south on Charles Mill Rd. to the Potomac River.

REGION B: Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's, St. Mary's, Somerset, Talbot, the eastern portion of Washington County, Zone 1, Private Land Code Area 252, that lies east of a line beginning at the intersection of Rt. 494 and the Pennsylvania line, south on Rt. 494 to Rt. 57, south on Rt. 57 to Rt. 40 at St. Paul's Church, west on Rt. 40 to the junction of Big Spring Rd. and Rt. 40 in Clear Spring, south on Big Spring Rd. to the junction of Rt. 56 at Big Spring, following Rt. 56 west to the junction of Charles Mill Rd., then south on Charles Mill Rd. to the Potomac River), Wicomico and Worcester counties.



We strongly urge a favorable report on Senate Bill 611.

Respectfully,

John H. Josselyn
2A Maryland
02/13/2024

SB 611.pdf

Uploaded by: Rodney Grimm

Position: FAV

Rodney A. Grimm
128 Challedon Drive
Walkersville, MD 21793

Senator Brian J. Feldman
Education, Energy, and the Environment Committee
Maryland State Senate
90 State Circle
Annapolis, MD 21401

Dear Senator Feldman:

This is in support of Senate Bill 611 that extends existing law regarding the carrying of a handgun for protection against bears for hunters who hunt deer with archery equipment in Region A, primarily Garrett and Allegheny counties, to hunters who hunt deer with archery equipment in Washington and Frederick counties.

I am a Frederick County resident that exclusively hunts in Washington and Frederick counties. I primarily hunt deer and turkey. Under current Department of Natural Resources (DNR) rules, only hunters who hunt deer with archery equipment may carry a handgun in Region A for defense against bears. Region A generally encompasses the state west of the Clear Spring/Hancock area. Primarily, it covers Allegheny and Garrett counties.

Hunters in Region B, which is the rest of the state, are prohibited from carrying a handgun if hunting deer with a bow. The rule allowing Region A hunters to carry sidearms for bear protection was in effect prior to the Supreme Court's 2022 *Bruen* decision. Thus, a wear and carry permit was not required to carry a sidearm for bear protection in Region A.

This prohibition even applies to hunters who have a Maryland wear and carry permit. I have sought guidance on this from the Maryland State Police and DNR. Maryland State Police responded that as long as it is not one of the prohibited places where carry is barred, I am allowed to carry (bow hunting is not a prohibited place). However, DNR responded that even with a carry permit, a handgun may not be carried while bowhunting. Accordingly, given the uncertainty regarding interpretation and application of the law amongst state agencies, even though I have a carry permit, I do not carry my handgun when I am hunting deer with a bow to ensure that I am in compliance with state law.

Region A bowhunters are allowed to carry for defense against bears. If this is justification for allowing carry of a handgun, then, on a reasonable and equitable basis,

it should at least also apply to hunters in Washington and Frederick counties. Both of those counties have increasing bear populations that have supported bear hunting seasons in both counties since 2016. In 2020, the largest bear taken during bear season was killed in Frederick County, weighing 537 pounds. The following year, the largest bear in the state was harvested in Washington County.

There have been two bear attacks on residents in Frederick County in recent years. A woman was mauled by a black bear in the driveway of her home near Gambrill State Park in November 2016. She was clawed and bitten on the head, face, arms and legs, which required 80 stitches. In September 2020, a woman was attacked and incurred significant injuries in Myersville while walking her dogs. I have seen bears during deer season while hunting in Frederick County. Thus, as with Region A, a basis for protection against bears also exists in parts of Region B -at least in Washington and Frederick counties – as well.

While modern archery equipment, primarily compound bows and crossbows, has advanced into highly efficient platforms to harvest game such as deer, they remain poor options for defending against a bear attack. Black bears, aside from being large creatures that can top out at 500 to 600 pounds, are also very agile and swift. An adult black bear can reach 35 mph from a standing start in a few seconds and can ascend up a tree in startlingly rapid fashion. Thus, the fastest human being is incapable of fleeing a bear attack. A bow hunter, in the overwhelming majority of bear attacks, would not have sufficient time to notch and draw or cock an arrow in an attempt to stop a bear attack, which usually occurs quickly with little or no warning.

Aside from such impressive capabilities, a black bear's vital organs are protected by layers of dense muscle, fat, and a thick hide. Thus, even if the bow hunter was able to dispatch an arrow at a charging bear, aside from only having one shot and the uncertainty of hitting the bear traveling at such high speeds, it is doubtful that the arrow would sufficiently penetrate the animal's vitals to stop the attack.

With a handgun, either a standard semiauto or revolver, the weapon can be deployed much quicker with the capability of firing multiple shots in attempting to stop the attack. Also, ammunition specialized for maximum penetration can be used to increase the likelihood of penetrating the animal's vital organs. Hard cast or solid core ammunition is sold for the primary purpose of defense against predator attacks.

There are other means to deal with such an exigency such as bear spray, which I carry when bowhunting. However, the effectiveness of bear spray can be significantly compromised by wind or rain. An adverse wind may have the unfortunate result of returning the spray funnel back to the user. Bear spray may be rendered nearly useless in rain. Obviously, I carry a hunting knife to field dress any deer that are harvested but would rather not depend upon a knife to save my life against any predator, especially one with the overwhelming size and power of a bear.

Aside from bears, another reason for wanting to carry my sidearm is that the farm that I hunt on in Frederick County has a too healthy coyote population. My concern is that when I have to track a deer around or after dark, I will encounter them while I am field dressing and/or dragging the deer back to my truck. I have been trailed by coyotes when dragging a deer harvested after dark and recall an occasion when a colleague harvested a deer near deer on this farm and two coyotes were already on the deer when he recovered it (thankfully he was on a farm tractor and scared them away). Again, I carry bear spray, but it has its limitations as noted above. A handgun simply remains the safest and most effective means to deal with such exigencies with predators that Washington and Frederick County hunters may have to face in the field.

I understand the rationale for the rule prohibiting the carrying of a firearm while bow hunting is to ensure that deer are not harvested with a firearm during bow season. It is certainly a legitimate goal to facilitate the legal harvesting of game, which I wholeheartedly support. However, the state has recognized the concern for hunter safety in Region A and has created an exception to this rule to ensure personal safety. The same concerns for hunter safety exist in Region B as well, which should compel a similar exception and equal application of this rule in the interest of hunter safety.

Thank you for your attention to this important matter.

Sincerely,

Rodney A. Grimm

Testimony SB0611.pdf

Uploaded by: Richard Rosa

Position: FWA

Amendment:

Add Saint Mary's County to the list of counties in 10-408 (b) (2) (ii) 2, for protection against coyotes.