



Representative Brad Witt
Reps. Gomberg, Nosse, Schouten, Sollman, Wilde

VIA EMAIL ONLY

RE: HB2728 COYOTE DERBIES

Honorable Representative Witt, HB2728 Sponsors and Members of the House Committee on Agriculture and Natural Resources:

On behalf of the partner organizations of the John Day Resource Center, I am submitting the following testimony in opposition to HB2728, which proposes to outlaw coyote “derbies”.

I am a 30-year career biologist who has served in various professional scientific and policy roles for state and federal agencies, Indian tribes, and non-profit and private corporations. Personally, I am a ranch owner, hunter, a member of the Grant County Wildlife Committee and President of the Grant County Farm Bureau. As I approach the end of my professional career, my day-to-day conservation activities mostly involve our private ranch while my public role is predominantly focused on studying and writing about conservation, private property rights, hunting and the intersections of public policy.

I’ve followed the evolution of HB2728 since its origination in the 2019 session as SB723, not because I am either for or against coyote hunting contests specifically but because of what the proposed legislative ban represents:

1. Participation in coyote hunting contests is extremely low, regardless of comparative measurement—to the total number of coyote hunters, the number of hunters of all wildlife species, or Oregon’s total population.
2. The take of coyotes in contests is also not only comparatively low but so low as to have no measurable effect on coyote populations across their distribution.
3. I am aware of no science--only belief--that supports the position that such derbies have any effect on the role of coyotes in ecosystem function or wildlife/livestock mortalities at the population level.
4. Although science is only one part of forming public policy, it is clear that science is not a motivation or even a consideration in HB2728, otherwise ODFW and other scientists would be invited to testify.
5. Hunting is nearly, without exception, a personal choice based on individual morals. Hunting is analogous to, for example, the recreational use of controlled substances.
6. Simply because some people find such a personal choice to be distasteful or even abhorrent should not demand that the behavior be outlawed, no matter how difficult it is

for opponents to understand participant behavior. What would the status of abortion, homosexuality and transgenderism, or even circumcision be if we adopted such a rule of law?

7. Banning the behavior of a small number of individuals solely to accommodate the philosophy of another group is not democracy, it's mob rule. HB2728 is particularly offensive in this regard because it targets a certain cultural group from known disadvantaged communities with extremely low populations and very high socio-cultural and economic challenges. At a time when the Democratic super-majority in Oregon is constantly pledging inclusiveness, tolerance and respect, HB2728 stands in stark contrast, exemplifying instead the worst of virtue signaling, urban elitism and bigotry.
8. Hunting contests awarding prizes, money and other recognitions based on the recreational killing of an animal are not limited to coyote derbies. Boone & Crockett, Pope & Young, Safari Club International and dozens of other non-profit organizations and for-profit companies have all established award programs based solely on dead animals. Even some state wildlife agencies maintain record books for dead wildlife. Salmon derbies are wildly popular in the Pacific Northwest and "Big Buck" and "Big Bull" contests are conducted in small towns across Oregon each year. Moving to ban one form of contest while allowing all other similar contests is not only hypocritical but outrageously prejudicial. Problematically, implementation of the law may actually be an unreasonable infringement on the free speech rights of individuals to participate in contests of their choice. The sponsors of HB2728 find themselves at the very top of the proverbial slippery slope.

It was clear that some form of the proposed ban was going to pass in the 2020 session. When it failed, I repeatedly reached out to the former bill sponsors attempting to understand their motivations and overall goals for the bill. None of those attempts were even acknowledged. It's clear that this legislation has been on a pre-determined ideological path from its origination. I'm personally saddened by that approach.

I've studied and written extensively about Oregon's wildlife and private property laws as they have evolved from the time predating Statehood to today. Historically, laws based predominantly on emotions--as is HB2728--rather than science or societal need/demand nearly always fail to win the "hearts and minds" of the affected but seek compliance through force. While that placates advocates (temporarily) it rarely solves any long-term issues or ingrains change but perpetuates the zero-sum strategy of winning through strength--hardly progressive, by all rights.

There is a much better solution, however, and one that I tried to bring to attention previously. Rep. Clem has proposed HBs 2276 and 2286 to establish task forces on hunting and wildlife. Those proposals contain form and composition but lack function. Understanding the role of contests in hunting, the morality and ethics of participating in hunting contests, the availability of science surrounding such contests, or, conversely, the lack of any of those aspects in hunting contests should be one of the functions of Rep. Clem's proposed task force. Necessary legislation or

regulation, if any, and suggestions for alternative forms of goal-achievement should come from the task force along with clarity in the reasons for additional actions¹, not for the purpose of delay or impediment but with the reason of moving towards a greater understanding, conducting productive dialogue, and instituting meaningful change.

There are literally dozens of other reasons not to move forward on HB2728 as proposed, not the least of which are the obvious loopholes and inability for effective enforcement. Regardless, addressing selective outrage from a minority of single-interest constituents largely disconnected from the people who will be directly affected is not a solution, it's an appeasement; and not an honorable one at that. Regarding the vitally important concerns of wildlife, customs and culture, tradition, and ethics, HB2728 represents a false choice. I urge the Committee to make the better one.

Thank you for the opportunity to comment on such an important matter.

Sincerely,

/s/ Shaun W Robertson

Shaun W Robertson

John Day

¹ As an aside, the task force should also be charged with evaluating the topics of Wildlife Euthanasia, Nonlethal Wildlife Deterrents, various cougar and beaver control measures, and Predator Definitions proposed under HBs 2217, 2689, 2723, 2797, 2843, 2844 and SB643, respectively. Those are also topics that have routinely plagued the State Legislature for decades, without resolution.