

**TESTIMONY OF SUSANNA RICHER
IN OPPOSITION TO L.D. 428
" An Act to Reclassify Certain Offenses Under the Inland Fisheries and Wildlife Laws
and Increase the Efficiency of the Criminal Justice System "**
Committee On Committee On Criminal Justice and Public Safety
March 6, 2023

Senator Beebe-Center, Representative Salisbury, and distinguished members of the Committee:

Thank you for considering my testimony in opposition to L.D. 428 " An Act to Reclassify Certain Offenses Under the Inland Fisheries and Wildlife Laws and Increase the Efficiency of the Criminal Justice System."

I support decriminalization in most instances, but not when the crimes involve animals or violation of landowner privacy rights, which is the case for parts of L.D. 428. Specifically, I oppose the proposed changes to the statute pertaining to bear baiting, bear hunting, field trials and training dogs.

While I understand the intent of this bill is to "increase the efficiency of the Criminal Justice System" I think it is important for this committee to ask the question: "**How many of these cases are actually prosecuted?**" From my own past experience as a volunteer for an organization that fields many citizen complaints concerning hunting infractions, the existing laws are minimally enforced. Charges and penalties are rarely pursued even when a violation occurs. The few that make it through the system are likely egregious violations and/or involve repeat offenders that deserve all the available repercussions that come with being charged with a Class E crime.

Our existing game hunting laws are already extremely loose and include very few protections for animals or landowners.

Bear hunting with bait - Bear hunters that use bait are legally allowed to place literally tons of decaying junk food into our woods for months with little restriction as to location. The bait sites train bear to come feed at one location making them easy targets once the season begins. This bait is a hazard – it not only attracts bears -- but other wildlife and companion animals. The bait often contains sugar and chocolate which are toxic to many wild animals, as well as to dogs and cats.

Legal trespass / Hunting with dogs - Due to the exemption in the state's dog-at-large / dog trespass laws for hunting dogs, hunters that use dogs are allowed almost a free pass to run packs of dogs, often in deadly pursuit, across private property. This intrusion occurs during training season (July 1 – March 31), during field trial season (September 1 – April 10) and during open hunting seasons. For many landowners, this intrusion is an invasion of their peace and can be terrifying as well as damaging, especially if there are children, free-roaming livestock and/or companion animals on site.

Last week, someone reached out to me because her neighbor who has a hunting dog (beagle) kennel, is regularly allowing his dogs to run loose on her property which is causing problems for her own dogs and family. She reached out to her neighbor to ask that he keep his dogs off her land. His written response was: "It is perfectly legal to run dogs wild from July 1 right through March 31." There is very little recourse for this woman under existing laws and what little exists requires an immense burden of proof from the landowner.

There is already little deterrent to keep hunters that use bait and dogs from infringing on the peace and privacy of landowners that invest time and money into posting their property. Removing the few repercussions that exist under the law will result in even fewer options for recourse for landowners who wish to have privacy, peace, and coexist with nature.

Passing this bill (as written) will do little to lessen the burden on the Criminal Justice System and will reduce already minimal consequences in place to encourage hunters to abide by the laws. Please amend L.D. 428 to strike out the changes to the bear baiting, bear hunting, hunting dog field trials and training sections. Thank you for your time and consideration.

Susanna Richer - Portland, ME

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LD 428

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