



## COALITION TO KEEP NEW JERSEY'S LEGHOLD TRAP BAN

Re: Support for SCR11 (Senator Lesniak) -- Game Code Regulation Contravenes Existing Animal Welfare Law Prohibiting Inhumane Leghold Traps

Dear Senator:

The undersigned organizations strongly object to the New Jersey Fish and Game Council's (Council) attempt to circumvent New Jersey's 1984 law prohibiting steel-jaw leghold animal traps (P.L. 1984 c.37) by authorizing the use of "enclosed" leghold traps. Although the Council and the Division of Fish and Wildlife (Division) claim these traps are different, they operate the same as the myriad other types of steel-jaw leghold traps, all of which were banned more than three decades ago because of the serious injuries and distress they cause to trapped animals.

The Fish and Game Council's proposal to allow the use of enclosed leghold traps is inconsistent with plain language and legislative intent of New Jersey's 1984 law banning animal traps of steel-jaw leghold type and should be withdrawn. SCR11, a resolution introduced by Senator Lesniak, points this out and, if adopted, will enable the Legislature to protect both the statute and its authority and veto this unlawful regulation.

The New Jersey law banning the sale, use, possession, importation and transportation of any type of steel-jaw leghold trap has stood for three decades. The ban has weathered regulatory, legal, and political challenges by the Division, the Council, and the fur-trapping interests. Specifically, in 1985, when the Council considered allowing

a modified leghold trap, the Attorney General informed the Council that the ban was “absolute,” “unambiguous,” and applied to all “technical modifications.” In court, the Attorney General stated that “the Legislature did not establish a standard for steel-jaw leghold trap size, or spring tension, or jaw alignment (e.g. offset) or for attachments. Nor did it establish a level of injury which was acceptable (or unacceptable). Instead, it prohibited the trap.” In response, fur trapping interests sued—but lost—when the law was upheld by the Superior Court of New Jersey.

Despite the existing law and Attorney General and Superior Court of New Jersey opinions, the Council voted on June 9 to adopt a regulation allowing three enclosed leghold type traps. The regulation clearly contravenes the 1984 law because the enclosed traps are functionally the same as the banned leghold traps. Indeed, not only do they operate the same as the banned traps, but with clamping forces of up to 60 pounds, they cause excruciating pain, trauma, distress, and fear to the trapped animal. Fractures, abrasions, self-biting or chewing including self-amputations, skeletal muscle degeneration, tooth damage, edema, and contusions are among the injuries reported for enclosed leghold traps. In a ploy based on semantics, the currently proposed traps are being referred to as “foothold” rather than “leghold.” However, for decades the terms “leghold” and “foothold” have been used interchangeably. Mere semantics cannot be used as a justification for circumventing the 1984 ban.

Furthermore, the traps continue to capture and inflict trauma on non-target animals including domestic cats, mink and otter. The traps are not widely used and there is little objective information about actual impacts in the field and on wildlife other than information disclosed by trapping interests themselves. When these devices are used by recreational trappers and “nuisance” urban wildlife control operators, the risk of exposing pets and non-target wildlife to modified traps only increases.

Based on the foregoing information, we respectfully request your strong support for SCR11 to maintain the integrity of our state’s duly enacted humane law.

Sincerely,

ASPCA  
Animal Alliance of New Jersey  
Animal Protection League of New Jersey  
Animal Welfare Association  
Animal Welfare Federation of New Jersey  
Animal Welfare Institute  
The Associated Humane Societies  
Born Free USA  
Camp Bow Wow – Eatontown  
Center for Biological Diversity  
Coalition for Animals  
Cumberland County SPCA  
Endangered Species Coalition  
Environmental Action  
Equal Justice Alliance  
Friends of Animals United New Jersey  
God’s Creatures Ministry  
Humane Society of Atlantic County

The Humane Society of the United States  
International Fund for Animal Welfare  
Islamic Society of Basking Ridge  
Lawyers in Defense of Animals  
League of Humane Voters of New Jersey  
Monmouth County SPCA  
Montclair Township Animal Shelter  
Natural Resources Defense Council  
New Jersey Society for the Prevention of Cruelty to Animals  
New Jersey Voters for Animals  
People for Animals Spay/Neuter Clinic  
Project Coyote  
Sierra Club, New Jersey Chapter  
St. Hubert’s Animal Welfare Center  
Unexpected Wildlife Refuge  
Woodford Cedar Run Wildlife Refuge