

# Trapping: Do Best Management Practices Improve Animal Welfare?

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## Introduction

Every year well over six million wild animals are trapped and killed for their fur in the United States. Despite a decline in price and the global demand for fur, as well as growing public opposition to trapping, the United States remains one of the world's leaders in the number of animals killed every year by trapping. In addition to supporting an increasingly obsolete fur industry, millions of animals are unnecessarily trapped and killed under the guise of "predator control" or simply as a recreational activity.

Over 100 countries have banned the use of steel-jaw traps, including the European Union, China, Israel, and Mexico (Born Free USA, 2022; Knudson, 2016). Numerous states, including Arizona, California, New Mexico, Colorado, Florida, Hawaii, Massachusetts, New Jersey, Rhode Island, and Washington, have limited or banned certain types of traps due to concerns about public safety and animal cruelty (Animal Legal Defense Fund, 2021).

There are no federal trapping regulations. Trapping regulations are established at the state level and vary dramatically, from little or no restrictions to outright bans. The species classified as furbearers in Wyoming that may be trapped are badger, beaver, bobcat, marten, mink, muskrat or weasel. The predatory animals in Wyoming that can be trapped are coyote, jackrabbit, porcupine, raccoon, red fox, skunk or stray cat. This also includes the gray wolf located outside the closed seasonal management areas. In addition, many unreported non-target animals fall victim to steel-jaw leghold traps and body gripping kill traps in Wyoming, including black bears, owls, eagles, fish and other incidental takes.

Steel-jaw leghold (a.k.a. foothold traps), body-gripping "quick kill" traps, snares (a.k.a. cable restraints) and cage traps are all legal in Wyoming. To obtain a license to trap during the legal season, a trapper education course is not required. There are regulations that govern trapping, such as trap check times, but the inherent nature of trapping, and the fact that it often occurs on private land, makes enforcement of regulations challenging. There is also a shortage of game wardens. These factors render any future enforcement of Best Management Practices (BMP) impractical.

## The Evolution of the Best Management Practice Program

The BMP program is an ongoing process of evaluating various traps for restraining, killing, or occasionally, relocating wildlife. BMPs did not evolve out of genuine concern for animal welfare. BMPs are a response to the public's growing opposition to trapping and, particularly, to pressure from the European Union (EU) (Zuardo, 2017). The EU adopted a policy of prohibiting

the import of fur from 13 species of animals from countries, including the United States, using steel-jaw leghold traps. In an effort to assuage the EU's concerns, BMPs were developed. One of the primary aims of the federal BMP trap-testing program is "to instill public confidence in and maintain public support for wildlife management and trapping through distribution of science-based information" (Zuardo, 2017).

## Inherent Biases in the Testing Program

BMPs for trapping in the United States were written by the Furbearer Conservation Technical Work Group of the Association of Fish & Wildlife Agencies (AFWA), an independent marketing organization that works for state Fish & Wildlife Departments across the country. Some of their other dues-paying members include the Safari Club International, the National Rifle Association and the National Trappers Association. According to AFWA's website, "The Association represents its state agency members on Capitol Hill and before the Administration to advance favorable fish and wildlife conservation policy and funding" (Association of Fish & Wildlife Agencies, n.d.). Some of their communications strategies include a paper titled "Communication Strategy for Trapping and Furbearer Management" that offers advice to Fish & Wildlife agencies with titles such as "How to Build Credibility with the Media," and "How to Sell Your Story" (Association of Fish & Wildlife Agencies, 2019). AFWA serves as a marketing and public relations advisor and BMPs are propaganda to garner support for trapping.

Funders of the program have a financial and political interest in the outcome of the BMP process, which presents bias concerns. Funders include The U.S. Department of Agriculture (USDA), which includes the notorious Wildlife Services Division and The International Fur Trade Federation. In addition, many state Fish & Wildlife Departments have given substantial in-kind contributions (AFWA, 2019).

Lastly, Fish & Wildlife Agencies often promote the involvement of veterinarians in the BMP process. However, possible conflicts of interest of the veterinarians who participated were not disclosed. For example, one of the veterinarians, Kelly Straka, worked for the Michigan Fish & Wildlife Department at the time of the BMP necropsies and was later hired in 2021 to work for the Minnesota Fish & Wildlife Department (Schulson, 2022). State Fish & Wildlife Departments have a strong bias towards trapping interests. The use of independent veterinarians would have increased public confidence in the process.

## BMP's Claims v. Reality

AFWA claims BMPs "are carefully researched recommendations designed to ensure animals are humanely captured. Developed as part of the largest trap research effort ever conducted, BMPs feature the latest scientific information about trapping techniques and equipment, along with practical advice from experienced trappers and wildlife biologists" (Association of Fish & Wildlife Agencies, 2018).

In reality, from 1997 to 2018, trappers in 33 states were hired to set out certain types of traps, including steel-jaw leghold traps for 22 species of furbearing animals and assist in evaluating the performance of those traps. But the use of trappers to conduct the study has greatly compromised the results. “The trappers and their ‘technicians’ (who can, by protocol, be the trapper’s spouse, relative, or friend) are asked to set certain types of traps and aid in the evaluation of criteria that describe trap performance” (Zuardo, 2017). There was no independent person in the field verifying the results of trap captures (e.g. did the trap catch a coyote or a red tailed hawk?)

The BMP program has been widely criticized by independent scientists, wildlife professionals, and animal advocacy organizations for being unscientific, self-serving, lacking transparency, and laden with political agendas and conflicts of interest (Proulx, 2021; Zuardo, 2017). For example, some of the veterinarians who participated in the process work for either state or federal Fish & Wildlife agencies that have a consistent bias toward trapping.

If BMPs are to offer any potential benefits, they should apply to trapping systems instead of just the traps themselves. A “trapping system” includes the trap, pan tension, location, bait, etc. Trappers from different regions may use different sets. The trap set impacts the effectiveness of a trap. Therefore, when veterinarians assess carcasses from some trappers, they are not assessing the trapping system. Also, during the BMP testing, some trappers might have checked their traps every 4 hours, others every 24 hours. Consequently, the impact of the trap on animal welfare cannot be accurately assessed due to the variations in trap visit schedules and other factors.

*“Moderate” injury, as defined by AFWA, can consist of amputation of one-digit, permanent tooth fracture exposing pulp cavity, severe joint hemorrhage, eye lacerations, rib fractures, major laceration on foot pads or tongue, and other injuries. Would a reasonable person consider these injuries “moderate”?*

Additionally, some of the testing methods have been challenged due to flaws in the methodology. According to Proulx et al. (2022), the BMPs for beaver and muskrat indicate that most approved body-grip traps for these species were tested through “computer simulation modeling,” and presumably the same process was used for river otters. Using computer simulations instead of actual testing raises various concerns about the reliability of tests that qualify a body-grip trap to meet existing time standards for a humane death. (Proulx, 2022). Proulx (2022) further states that the Conibear™ “quick kill” 220 trap does not consistently render raccoons irreversibly unconscious within five minutes, as required under the BMP. These findings were based on actual animal testing and were repeatedly published, according to Proulx (2022). But the Fur Institute of Canada – the United States adheres to their recommendations – endorsed the trap as being humane based on computer simulations, which is not an accurate representation of the trap’s functionality in the field (Proulx, 2022).

Even AFWA acknowledged challenges with some of their test results. For example, the BMP testing likely understated the incidental take of waterbird captures. “Risk of waterbird captures in aquatic trap sets is greater in the spring (Bailey 1976, Gross et al. 2017), particularly during spring muskrat trapping, than in the fall-winter when most trapping on our project occurred” (White et al., 2021).

## What is Missing from BMP Testing?

BMPs rely on scales of injury to attempt to assess and quantify animal welfare. Injuries to trapped animals are evaluated based upon the following injury categories: mild, moderate, moderately severe, or severe (White et al., 2021). BMP recommendations for leghold traps must result in no greater than moderate injury in at least 70% of the animals trapped (Association of Fish & Wildlife Agencies, 2021). “Moderate” injury, as defined by AFWA, can consist of amputation of one-digit, permanent tooth fracture exposing pulp cavity, severe joint hemorrhage, eye lacerations, rib fractures, major laceration on foot pads or tongue, and other injuries (White et al., 2021). Would a reasonable person consider these injuries “moderate”? Notwithstanding the severe injuries that are only considered moderate on this AFWA scale, according to the BMPs, fully 30% of all animals trapped could potentially suffer severe injuries like amputation, compound fractures, severe internal organ damage, spinal cord injury, or death and still meet the BMP criteria (White et al., 2021).

Animal welfare standards for body gripping “quick kill” traps set on land allow 30% of trapped animals to suffer for undetermined periods of time. An example of this is a fisher caught by the torso, instead of the base of the neck. The result is prolonged suffering. This image shows a coyote trapped by the head in a “quick kill” body gripping trap in Killington Vermont. According to the warden, the coyote traveled for over a mile from where the trap was triggered before succumbing to its injuries. Up to 70% of the trapped animals are allowed to suffer for an excruciating five minutes before losing consciousness under the BMP standard (AFWA, 2021; Association of Fish & Wildlife Agencies, 2017)



Beavers, who are routinely trapped in body-gripping “quick kill” traps underwater, often die by drowning when the trap does not kill them instantly. Beavers can hold their breath for fifteen minutes—the terror experienced by a beaver trapped and held underwater for that length of time could hardly be called humane. In addition, river otters are often caught in traps set for beavers and the differences in anatomy can cause otters to be trapped by the tail or torso, resulting in a prolonged death.



Additionally, the BMP research revealed that certain animals like raccoons and skunks have a higher probability of serious injuries due to self-biting as a result of being restrained in leghold traps, yet leghold traps are still included in the BMP recommendations for raccoons. They are not recommended for skunks, though skunks are routinely caught in leghold traps set for other wildlife (White et al., 2021). BMPs clearly allow unacceptable levels of trauma to animals.

The BMP process also tested for efficiency and selectivity. Per BMP guidance, for traps to be deemed efficient, they must capture and hold the target species 60% of the time (White et al., 2021). Thus, it is acceptable for victims to escape after springing the trap 40% of the time, possibly with severe, life-threatening injuries. Trap efficiency was, and is, only calculated for target species.

Selectivity is an important trap performance metric, with the goal of minimizing the number of captures of non-targeted animals. However, the BMP testing only used furbearer selectivity, as opposed to species-specific selectivity resulting in a misleading high-performance rate. For example, testing did not consider a bobcat that was caught as a non-target in a trap set for a coyote because they are both furbearers. Therefore, the BMP process did not provide any assurance that a trap that is set for a specific furbearer species has a higher or lower probability of capturing the intended animal. Additionally, the BMP process for selectivity has been criticized by other researchers for its failure to consider the relative abundance of focal and incidental species, and therefore the result is simply proportional capture data. Concerns over potential consequences to endangered species conservation were also raised (Virgós et al., 2016).

## What BMPs Don't Evaluate

Traps are inherently indiscriminate, and BMPs for one target species are not valid and will not protect other species. Non-target species can suffer greatly when trapped by devices not designed or intended for their species. For instance, traps set for coyotes can also catch raptors, skunks, raccoons, opossums, and other non-targeted animals, including dogs and cats, and cause severe trauma that is even greater than what the intended target would have experienced (American Veterinary Medical Association, 2008). Accordingly, a BMP for a targeted animal that results in a 70% probability for a “moderate” injury may result in a severe injury to a non-target animal.

The BMP evaluation process for injury and trauma fails to evaluate behavioral or physiological responses as measures of welfare. For example, cortisol level rise from stress can have detrimental and long-lasting effects on trapped animals. In order to test for these effects, researchers would have to monitor the trapped animal to record behavioral signs of stress,



**BMP approved Onedia Victor™ Softcatch leghold trap found in VT with a severed paw**

panic, or fear for the entire time the animal is restrained. According to Proulx (2022), “distress indicators may include: fighting, biting, pulling or disturbing the trapping system, [and] self-mutilation...” Before the animal is released from the trap, hair and/or feces could be collected to compare pre- and post-capture stress levels. “It is necessary to expand on animal welfare indicators to detect stress, injury and physiological disturbances in animals captured in restraining traps” (Proulx, 2022).

According to White et al. (2021), their trap research failed to include animals that were already dead (or injured) upon trap inspection as a result of external variables (e.g., shot by another person, attacked by other animals, hypothermia, accidental drowning). Due to this, trap research did not incorporate all aspects of animal suffering while restrained in leghold traps.

Furthermore, there is no consideration of how long an injury was present before the animal was killed, or of the long-term impacts of injuries to animals who escape or to non-target animals who are released. The American Veterinary Medical Association stated the following concerning modern trap designs and improved procedures for setting traps, “Swelling, hemorrhage, and lacerations still occur, and post-release survival may be impaired even by relatively minor injuries.” (AVMA, 2008)

Finally, BMPs do not provide guidelines on how animals, once caught, should be killed (Zuardo, 2017). Clubbing, suffocation (usually by standing on the animal’s chest), drowning or strangulation are methods used by trappers to preserve the pelt from bullet holes.

Clearly, all trapping methods present numerous animal welfare concerns that were neither evaluated nor addressed in the development of BMPs.

## BMPs are Unenforceable

Existing trapping regulations are virtually impossible to enforce. There is a chronic shortage of game wardens to ensure compliance with existing regulations. A significant amount of trapping occurs on private land which is another challenge to enforcement.

BMPs are only recommendations. Even if they were required, enforcement would be exceptionally difficult because it is challenging to differentiate a proper BMP practice from a conventional practice. For example, BMP-approved traps look very similar to conventional traps. In addition, trap performance is not solely about using a specific trap. Other factors such as the choice of pan tension, baits, lures, location of the trap etc., all play a role. Additionally, a BMP-approved trap may be suitable for one species but not for others who are caught as non-targets.

Even if we were to accept that BMP-approved traps improve animal welfare, that only applies if trappers in the field are trapping using the same exact protocols used by trappers during the BMP testing (e.g., during trap testing, trappers always checked their traps daily before noon,

at a minimum). According to an email to life, Carter Niemeyer, biologist and retired trapper who conducted wildlife studies for the U.S. Fish and Wildlife Service, said, “If trappers deviate from the conditions establishing BMPs, then the BMPs are meaningless and results/risks to the trapped animal go up the longer the animal lingers” C. Niemeyer (personal communication, May 27, 2022).

Even AFWA acknowledges challenges with enforcement. “Some regulatory agencies may consider use of our results to prohibit traps that do not meet BMP standards but attempting to do so may result in numerous practical or regulatory challenges that must be carefully considered. Agencies must consider the reality that nearly all traps are BMP compliant for at least 1 species, appropriate responses when a trap set for 1 species for which it meets BMP standards catches another legally harvestable species for which it does not, potential use of trap brand names in regulations, and how to determine when an untested trap is similar to one that has been tested” (White et al., 2021).

## Conclusion: BMPs Do Not Achieve Their Stated Objectives

BMPs fail to achieve meaningful welfare gains for wildlife captured in traps as evidenced by the standards used. BMPs were conceived, studied, and evaluated by the very people that they aim to regulate.

The BMP process evolved out of pressure to meet global concerns for animal welfare. It has been over two decades since the BMP conversations began, yet animals are still being bludgeoned, drowned, and suffer grave injuries and also death due to leghold and body-gripping traps in Wyoming. The fact that very few changes have been made in trapping devices over the decades since the BMP program started suggests that there was little interest in reducing animal suffering and trauma by wildlife agencies.

BMPs are touted nationwide to justify trapping in the face of growing opposition. BMPs are hardly more than propaganda by Fish & Wildlife Agencies to garner support for a practice that the majority of Vermonters would like to see banned outright (Center for Rural Studies, 2017).

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