

THE DEER HEADLIGHTING PROBLEM IN MISSISSIPPI

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Perhaps no violation of the game and fish laws of the State of Mississippi has caused more concern to Commission personnel and the general public alike as has the headlighting of deer. Similarly, it is known that this type of violation has caused considerable consternation to other game and fish agencies throughout the South, as well.

I am sure most of you are well-acquainted with methods by which deer are headlighted so I will, therefore, confine my remarks principally to a discussion of the dangers of headlighting and methods adopted by the Mississippi Game and Fish Commission to control this menace to the State's deer populations.

The headlighting of deer in Mississippi can be traced back to a period of time long before the inception of the Game and Fish Commission in 1932. In fact, it is known that the deer were killed with the aid of a light long before use of the well-known carbide light was initiated. Perhaps this method of killing deer caused little concern to our forefathers, but as populations of deer steadily dwindled, much anxiety over control of such practices was shown by many leading sportsmen throughout the state.

Here, of course, lies some of the main objections to the headlighting of deer. Perhaps if an area is very heavily populated with deer, and a doe season is deemed necessary to control the population, occasional headlighting may not be too harmful. However, if the population is limited and efforts are being made to increase the numbers, headlighting is very harmful.

It is believed that at least 85 percent of the deer killed by headlighting are does and yearlings, certainly the backbone of any herd. Buck deer either through keener scent or more alertness will not stand and become a readily lighted target as does and yearlings will. Thus any headlighting greatly affects any potential population increases.

The number of deer that can be killed by headlighting can reach very large numbers as is borne out by some of the confessions of Mississippi headlighters. These high numbers along with the possibility that not more than 70 percent of the killed deer are ever retrieved add importance to the seriousness of the violation especially when populations are low and scattered and many sportsmen are clamoring for closed seasons and restocking.

Early laws passed for the benefit of the Game and Fish Commission made it a violation to hunt game out of season. To add emphasis to the law, hunting hours were also set. This law made it a violation to hunt any game animal or bird during the night from sunset to one-half hour before sunrise either with or without the use of a light, except opossums, raccoons, rabbits and fox. A minimum fine of \$10.00 was established for violation of these hunting seasons laws. This fine has been raised to \$25.00.

Section 5866 of the Mississippi Code of 1942 entitled "Fines and Penalties" made it a violation to kill a doe deer. Penalties for such a violation cannot be less than \$50.00 nor more than \$100.00.

Unfortunately, interpretation of these laws required that the warden actually catch the hunter with the deer at night in the woods with headlighting equipment to obtain a conviction. As would be expected, most headlighters were hunting nothing more than rabbits. Later, the Commission attempting to eliminate this problem, passed a regulation prohibiting the night hunting of rabbits. Night hunting was permitted only with the use of a dog. Headlighters, of course, bought up all the feists they could find to accompany them in the car on their nightly jaunts.

Not until the 1956 regular session of the Legislature was legislation passed that put a crimp in the headlighter's operations. Section 5866, as mentioned above, was amended to prohibit the headlighting of deer. I read from this law in part: "Any person who hunts or takes or kills any deer by headlighting or by any lighting device, shall, upon conviction thereof, be fined not less than \$150.00 or be imprisoned not more than three months in the county jail, or both."

This law further provides that any firearm, equipment, appliance, conveyance or other such property used directly or indirectly in the hunting or catching or capturing or killing of deer at night with any headlight or any other lighting device . . . , or any other device or contrivance or other vehicle, which may be used in the transportation of any dead or live deer taken captured or killed at night with or by means of a headlight or any other lighting device . . . are hereby declared and made contraband property and shall be confiscated and forfeited to the state of Mississippi and shall be seized by any employee of the State Game and Fish Commission or other officer of the law including any sheriff or deputy sheriff, and no property rights shall exist in any person natural or artificial or be vested in them in any such property used by them directly or indirectly in the above manner or as a means of transportation as aforesaid. Upon the seizure of such property, it shall be delivered to the sheriff of the county in which said property shall have been used and shall be retained by him in his official capacity until disposed of in accordance with the provisions of this act, and the cost of the keep or storage of such property, if any, shall be paid as costs from the proceeds, if any, derived from the sale of such property made in accordance with the terms of this act.

Since incorporation of these amendments into the law, headlighting activities have declined. Several convictions of headlighters and confiscation of equipment have had their effect. Many proficient headlighters have ceased their endeavors believing that no deer is worth the confiscation of equipment and possible jail sentence.

Improvements in Commission equipment have also had their effect. Violators are more easily apprehended and no longer do they have apparent free access to the better inhabited deer areas. Warden personnel also hope to have the use of two-way radio equipment in the not too distant future. Operating under revised laws and using improved equipment should practically guarantee the elimination of most of the serious headlighting problems in Mississippi.

METHODS USED IN MISSOURI IN COMBATING THE HUNTING OF DEER AT NIGHT

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Missouri, like every other state that has a deer herd, has a problem of illegal deer hunting. We have had very little real market hunting, and hunting at night during the open season is not common. Our problem, then, is mainly one of trying to stop illegal hunting at night, during the closed season. Local residents or former residents are the principal offenders.

We feel that we have made real progress in reducing the amount of illegal deer hunting. We have no sure-fire gimmicks or easy solutions, but perhaps a review of the methods we use will be of interest. Educational efforts have made an important contribution, but we will here consider only law enforcement methods.

There are two elements essential to effective control of illegal deer hunting. The first is local cooperation. One or two (or more) residents of the neighborhood where poaching is taking place must be willing to help, at least to the extent of giving information to the enforcement officer. Since the overall Conservation Commission program has come to be generally well accepted, it is not usually difficult to find local residents who will help in combating illegal deer hunting. Farmers who are pasturing livestock are particularly averse to deer spot-lighting, because of the obvious danger to their animals.

The local farmer may be asked to call the enforcement officer when poaching is attempted, or when he suspects an attempt is about to be made. In addition, he may permit the use of his house as a temporary headquarters or observation post; he may provide private or little-known access to poaching areas, hide officers and their cars in advance of night work, and assist in many other ways.