

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**BEFORE THE JOINT STANDING COMMITTEE ON  
INLAND FISHERIES AND WILDLIFE**

**IN OPPOSITION TO  
L.D. 942**

**LD 942: “An Act To Permit the Use of Firearm Noise Suppression Devices in Hunting and To Provide for a Chief Law Enforcement Officer’s Certification for Certain Firearms”**

**SPONSORED BY: Senator MASON of Androscoggin**

**CO-SPONSORED BY:** Representative SHAW of Standish, and Senators: COLLINS of York, DAVIS of Piscataquis, WHITTEMORE of Somerset, Representatives: DUNPHY of Embden, ESLPING of New Gloucester, TIMBERLAKE of Turner, WOOD of Sabattus.

**DATE OF HEARING: April 14, 2015**

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Captain Shon Theriault, of the Maine Warden Service representing the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 942**.

Under current law it is illegal to hunt with or possess any firearm fitted with a device for deadening the sound of an explosion. L.D. 942, if passed, would remove this prohibition.

On average we convict forty or more people per year for discharging a firearm too close to a dwelling. This includes the use of shotguns in the spring during turkey season, and the use of large caliber firearms in the fall during deer season. The crimes have been reported because the homeowner or neighbor heard the shot. This is extremely brazen behavior from individuals who know the firearm makes a loud report. One can surmise that a change in legislation to allow silencers for hunting purposes will only encourage more of this illegal behavior.

Generally, discharge of a firearm causes a loud report that all in the immediate area can hear. This cautions those in the area, which can prevent possible safety issues. It also alerts landowners that hunters are present on their property. A .308 caliber firearm equipped with a silencer and using subsonic ammunition makes little to no noise at all.

Each year, game wardens successfully prosecute numerous cases of exceeding the bag limit on deer. Often there is more than one deer killed by a hunter because multiple deer were present at the same time. More often than not, the second deer was killed because it did not run off even

after the sound of the gunshot was heard, leading the hunter to make a poor decision when caught up in the moment. If there is an allowance to use silencers for hunting, thereby causing even less deer to run off after an initial gunshot, it may only create more scenarios where an unethical hunter kills an extra deer.

We have violators shooting deer illegally, at night and during the day utilizing .22 caliber firearms, crossbows, and bow and arrows, all in an effort to hide the sound of a firearm, to ultimately conceal their illegal activities. Just recently we summonsed a group of hunters in the mid-coast area who were specifically killing deer in people's door yards with the use of crossbows. Crossbows were utilized for their ease of use and stealth like properties. Legalizing the use of silencers for hunting would only encourage more of this illegal activity.

For years we have instructed participants in hunter safety courses that firearms can be used as signaling devices while lost in the Maine woods. When a game warden arrives on the scene of a lost hunter most often they fire a shot and wait for a return shot from the hunter. If a return shot is heard, the game warden can take a bearing and attempt to locate the lost hunter. If for some reason the silencer could not be easily removed, as is sometimes the case when the threads become fouled, this would prevent the lost hunter from using the firearm as a valuable signaling device, slowing down search efforts in what could be a potential life and death situation.

Finally, I would encourage the Committee to consider making the possession of a silencer for hunting purposes an aggravating factor in the conviction of any wildlife related crime.

I would be happy to answer any questions at this time.