

MISSOURI SUPREME COURT RULES IN FAVOR OF DEER



Captive Deer Hunting Operations Can Now Be Regulated

The Missouri Supreme Court has ruled that the Missouri Conservation Commission (MCC) has the authority to regulate captive deer hunts and deer breeding farms.

Captive hunting ranches, also known as “canned hunts,” are fenced-in areas where the deer to be hunted are penned up and confined making it easier for hunters to come in and shoot them for trophies. Captive deer farms are breeding farms where deer are specifically raised for “canned hunts.”

In an attempt to regulate captive deer operations and to prevent the spread of disease among the deer population in the state, the MCC had proposed regulations that banned the importation of deer, imposed more rigorous fencing requirements and required more comprehensive veterinary inspections. In response, two operators of canned hunts sued the MCC to prevent these regulations from going into effect.

The circuit court ruled in favor of the canned hunts asserting that captive deer are not “wildlife” and therefore are not subject to regulations by the Conservation Commission. The circuit court also ruled that breeding farms for canned hunts have the “right to farm” and therefore are not subject to regulations.

The MCC appealed this ruling to the Missouri Supreme Court claiming that captive deer are “wildlife” and are resources of the state and not private property. MCC also challenged the assertion that breeders of deer for canned hunts are being deprived of their “right to farm” by MCC regulations.

Fortunately, the state Supreme Court, in a unanimous decision, correctly pointed out that captive deer clearly meet the definition of “wildlife” ruling that “deer are an animal wild by nature.” The Supreme Court also ruled that deer bred for canned hunts are in no way analogous to farming and ranching practices and that the “right to farm” language was not intended to limit MCC’s constitutional authority to regulate deer.

Several canned hunts and captive breeding farms have indicated that they would now go out of business rather than comply with the disease prevention standards of the Conservation Commission.

We are hoping that they are true to their word.



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