

HISTORY OF EFFORTS TO LEGALIZE *THE ATLATL* FOR HUNTING DEER IN MISSOURI

by
Ronald E. Mertz¹



September 2012

¹ Ronald E. Mertz, PhD. 165 Bon Chateau Drive, Town & Country, MO 63141.
devoemertz@sbcglobal.net

INTRODUCTION

Several people have suggested that I write an account of efforts leading to the decision by the Missouri Department of Conservation to legalize the atlatl and dart for deer hunting. In preparation for writing this report, I printed and reviewed over 100 emails I had either sent or received related to these efforts dating back to September 2003. I am writing the report from a personal point of view. While I spearheaded the effort, many others contributed.

Background & Formation of the Missouri Atlatl Association

Although I had been shooting a bow since childhood, my experience with the atlatl began while I was teaching anthropology at Jacksonville State University in Alabama (1971-74). At that time, of course, there was no internet and no readily available literature. Most importantly, there were no organizations like the World Atlatl Association (WAA). The first darts I used were not fletched until I visited Mesa Verde and saw an atlatl and dart on exhibit. Even after adding feathers I still had no clear understanding of a functional dart's characteristics. For the next twenty years or so, I only used the atlatl occasionally and never in competitions or with others. Once, probably in the early 90's, I heard of a contest in Wyoming or Colorado, but when I finally reached someone, I was told the contest no longer was being held.

Then, in 1995 I happened to notice an article on the front page of the *Wall Street Journal* regarding atlatls and the World Atlatl Association that included an interview with fellow Missourian Ray Madden of Joplin, MO. Ray had been participating in WAA events for a number of years.² Within a few days I called Ray and ever since have been actively involved in using the atlatl including founding the Missouri Atlatl Association with Ray and John Whittaker, and serving the WAA in various capacities.³

Ray recounted his own early experience with the atlatl dating back to 1947 while browsing old bound copies of *National Geographic Magazine*. He spent a lot of time making and using his best guess of what they consisted of, along with bows, slings, blowguns, bolas, and rabbit sticks. He was unaware anyone else in the States presently used atlatls until he saw an announcement in *Primitive Archery* magazine listing a throw along with a primitive bow shoot in Marshall, MI in 1991 or 92. Having just retired, and having time to travel, he drove to Michigan and joined the Michigan Atlatl Association, and the WAA. Over the next few years he tried to make it to every throw he could find. Then in 1995 he was interviewed by a *Wall Street Journal* writer for an article. As a

² Bob Ortega, *Nifty Spear Flinger Aztecs called Atlatls Make Comeback*. *Wall Street Journal*, Tuesday, October 24, 1995.

³ WAA Board Member, Vice President, President, and Nominating Committee Chair

result of the article, he sent out free information to 50–75 individuals who contacted him, about making and using atlatls and darts. It was through that article that Ray and I met.⁴

After meeting at the annual Valley of Fire State Park, NV atlatl event in Spring 1996, Ray and I decided to start the Missouri Atlatl Association. Ray donated foam target backings he had purchased while attending an event in Michigan, many of which are still used in our events. In addition, his brother LeRoy donated some money to help us get started.

We had our first event at the Osage knap-in which at that time was held at Fort Osage just east of Kansas City.⁵ At that event we asked Dr. John Whittaker, an anthropologist/archeologist from Grinnell College in Iowa to join with us.⁶ John was an expert flintknapper who also shared our enthusiasm for the atlatl. The three of us made up the core of the MAA. That same year I contacted staff at Cahokia Mounds Historic Site, across the river from St. Louis resulting in an annual event at Cahokia which continues to be held up to the present. From that point on, we typically held at least three annual events – at Cahokia Mounds Historic Site in Collinsville, Illinois in September or October and two at the spring and fall Osage knap-ins. In addition, at various times we held atlatl contests in conjunction with an archery event in Oklahoma, the Bois D’arc primitive skills event near Springfield, Graham Cave State Park, Mastodon State Park, and the Columbia Bass Pro store in Missouri.

EFFORTS TO LEGALIZE THE ATLATL FOR HUNTING

Initial Contact with MDC

I am no longer sure of my first contact with the Missouri Department of Conservation (MDC) regarding the possible use of atlatls for hunting. One day, while in Jefferson City on business, I decided to stop in to see if I could generate any interest in atlatls. The person I talked to was polite, but the meeting was not very promising. He mentioned that sometime earlier the MDC had been approached by several atlatl enthusiasts, but the Department did not pursue it. He indicated there was a concern about accuracy, and that since the Department is financed partly through a sales tax, they had concerns about public perceptions.⁷

⁴ Ray is well known in the atlatl community for making and then providing atlatls and darts to newcomers who show an interest. In recognition of his generosity, he received the second WAA “President’s Award” in 1998. He has also served as a WAA Board Member.

⁵ The Osage knap-in is now held about 20 miles west of Columbia, MO.

⁶ In addition to publishing a number excellent articles on the atlatl, John has served the WAA as Board Member, Vice President, ISAC score keeper and WAA website master.

⁷ It was not until 2011 that I came across an article in the July 1993 World Atlatl Association newsletter “the ATLATL” and learned that several Missourians had submitted petitions to the Department to legalize the atlatl for deer hunting. No positive action had been taken by the Department. In retrospect, these were likely the individuals the Department staff member had referred to during our first meeting. The individuals are no longer actively engaged with atlatls.

2003 First MAA Meeting with MDC

In September 2003 Ray and I met with the Department's Regulations Committee. During the meeting, I played a copy of the video I had made at the Annual WAA meeting in Michigan earlier in the year of five WAA members throwing at a 3-D deer. As a result of that meeting, the Committee suggested that we work with the Conservation Federation of Missouri (CFM) so that they could then recommend what action the Department should take. The CFM is a highly respected private organization affiliated with the National Wildlife Federation, made up of individuals and groups interested in promoting the outdoors and has a very close and supportive relationship with the Department. In fact, it predated the Department and, was a significant force in the creation of the MDC in the 1930's. At each annual meeting, various CFM committees develop resolutions that are submitted to a Resolutions Committee and, if approved, are then presented to the Department.

2004 Initial Efforts with CFM

As indicated in a response, dated February 9, 2004, to a letter of support from WAA member Richard Lyons of Indiana, John Smith, Chair of the Regulations Committee indicated that Dave Murphy, the new Executive Director of CFM had offered to meet with Ray and me. I emailed Dave on April 16, inviting him to come to one of our competitions to be held in May. In his response, Dave apologized for not inviting us to the CFM annual meeting in February, his first as Executive Director. He expressed interest in coming to our event and mentioned that he had purchased a couple of books on the atlatl and was personally convinced that "these can be very effective and accurate weapons."

Dave was able to attend our event on May 15 and was accompanied by Eldo Meyer who was serving as CFM's Deer and Turkey Committee Chair. John Whittaker, and my grand-nephew Nick Mertz demonstrated the atlatls effectiveness at that event. In addition, after the meeting, John sent some materials he had prepared regarding atlatls to Dave. An early outcome of Dave attending our event was that CFM published an article in their magazine *Missouri Wildlife* titled *Atlatls for Teaching and Sport* that John and I had originally prepared for publication in an anthropology newsletter.

At the WAA 2004 annual meeting in Meadow Croft, PA the issue of WAA support for hunting was brought up. A few years earlier, WAA had officially taken a neutral stand on hunting. At the 2004 meeting, the official neutral stand was maintained, while a show of hands indicated that a large proportion of attendees supported the use of atlatls for hunting. Also, at the meeting, a number of us met to organize an informal hunting support/communication group.

2005 First Participation in the Annual CFM Meeting

Our first meeting with CFM took place on February 12, 2005 at the Lodge of Four Seasons, Lake of the Ozarks, during their annual meeting. Although Ray had planned to attend, he was not able to make it; however, Nick was able to attend with me. I made a brief presentation at the Deer and Turkey Committee meeting and afterwards, Nick and I set up a target near the main lodge building for hands-on atlatl demonstrations. (A few days before the meeting, WAA member Jack Rowe of Pennsylvania sent a letter of support to Dave Murphy in which he mentioned efforts to have the atlatl recognized taking place in Pennsylvania and Wisconsin.)

After my presentation at the meeting, Eldo Meyer moved to recommend that the Committee take some action. While the motion was tabled, the climate at the meeting was not negative. Rather, there was the expressed feeling that people did not have enough information at that time to recommend any action. Unfortunately, I was not able to show the video I had made in Michigan because, contrary to my expectation, equipment was not available at the meeting. As it turned out, since the CFM annual meetings are tightly scheduled, and our target was set up outside the building, a limited number of attendees came outside to observe the atlatl.

Although this initial effort at a CFM meeting was not as productive as I had hoped, I felt there was a level of success and it served to begin to introduce the atlatl to CFM members. I also felt that we had Dave Murphy's full support in our efforts.

During most of the rest of 2005, there was no further direct interaction with CFM. However, an additional step I took was to demonstrate at an annual outdoor event held by the Department of Conservation at Busch Wildlife Area near St. Louis. As I indicated to Dave Murphy in an August 22 email, most visitors expressed an interest in the atlatl and a number reacted to learning that it was not legal for hunting by asking "why wouldn't it be legal?"

A couple of other hunting related events took place nationally. At the WAA annual meeting in Montana, members endorsed a statement, worded by John Whittaker and me, to the effect that the WAA supported members' efforts to have the atlatl legalized for hunting. This was a change from the neutral stand taken previously. While this was a positive development in terms of the WAA, efforts in Pennsylvania-which initially had the support of the PA Game Commission-ran into considerable opposition from animal rights activists leading to the tabling by the Commission in early 2006.⁸

2006 Decision by the Department to Legalize the Atlatl for Small Game and Fish

Earlier efforts with the Department of Conservation and CFM led to several positive steps in 2006. On February 25, Victor Ahearne, an atlatlists previously from Michigan

⁸ Contrary to some published media reports, the PA Conservation Department to date has not approved the atlatl for hunting.

who was working for Bass Pro in Columbia, Missouri attended the 2006 annual CFM meeting with me. I prepared a tape that showed the four-minute sequence of throwers in Michigan multiple times, and brought it with a small TV that we set up near the main meeting area so that CFM members would have an opportunity to observe the effectiveness of the atlatl. I had decided before the meeting that in the long run, it would likely be productive to push for the legalization of the atlatl for small game as well as for deer, reasoning that the Department's possible concerns regarding wounding would not be a significant factor for small game.

After presenting to the Deer/Turkey Committee, members narrowly supported a resolution calling for action by the Department. Immediately following the Deer/Turkey Committee meeting, Victor and I met with the Small Game/Fur Bearer Committee. This meeting included a large number of young people who were part of the CFM's youth leadership group. After I made a brief presentation, they expressed a high degree of support and approved a resolution that the atlatl should be legalized for small game. The two resolutions, along with many other unrelated resolutions went to the Resolutions Committee, made up of past CFM presidents. This resulted in one resolution by the Resolutions Committee that was approved by CFM members on the following day:

NOW, THEREFORE, BE IT RESOLVED that the Conservation Federation of Missouri assembled at the Lodge of Four Seasons, Lake Ozark, MO, this 25th day of February, 2006 support efforts by Missouri atlatlists to urge the Missouri Department of Conservation to consider legalizing the atlatl and dart for hunting small game, including rabbits and squirrels in Missouri and undertake further study and research necessary to determine the feasibility of future use in harvesting big game.

I then contacted Mr. John Smith, a Department Assistant Director and Chair of the Regulations Committee to request that we meet with the Regulations Committee at their next meeting on March 17 to discuss the CFM Resolution (email dated 03/05/06). I received a response the following day that we would be scheduled for the meeting.

In advance of the meeting, I asked John Whittaker to write a note to Mr. Smith in support of our efforts to legalize the atlatl for hunting as an anthropologist, a founding member of MAA and the Vice President of the World Atlatl Association. In response, John sent a letter to Mr. Smith in which he reviewed a brief history of the atlatl, and evidence for its effectiveness and safety, and then ended with this statement:

In short, I hope Missouri will legalize atlatls, at least for small game, and consider the possibility of adding atlatls to the deer season. Missouri has little to lose, and the potential for expanding sporting opportunities in a new and interesting way.

In response to John's letter, Mr. Smith thanked him and indicated that the information would be useful to the Committee.

Victor and I met with the Regulations Committee meeting on March 17 where our presentation was well received. As part of our presentation, we gave the Committee a copy of the state by state survey WAA member Jack Rowe had conducted with departments to obtain the status of the atlatl as a means for hunting. Among the points I made was that, while the Department might have concerns about wounding a deer, there should not be a concern of a wounded rabbit or squirrel escaping. After our presentation, Mr. Smith appointed Committee members to prepare recommendations for their July meeting. At the end of the meeting Mr. Smith and a number of Committee members, as well as several individuals in the audience came up to thank us. One attendee told us that he had attended many of these meetings and that our presentation was the best that he had seen by individuals appearing before the Committee to ask for changes in regulations.

On March 19, I sent an email to Mr. Smith to thank him for allowing us to meet with the Committee and for taking immediate steps to initiate a study to investigate the possible use of the atlatl for hunting deer in addition to considering it for small game. I also told him that we would like to assist the Department in any way we can and offered to send a copy of the DVD prepared by Doug Leeth (WV), and mentioned some of the highlights on the DVD such as the throwing demonstration by Mark Bracken (NY), one of the World's most skilled atlatlist. As an outcome of the meeting I indicated that the MAA would develop a clear definition of the atlatl and dart for use in MDC's *Wildlife Code*. I also invited Committee members to come to our next event held in May so they would have an opportunity to try using the atlatl and indicated we would be willing to come to the Department headquarters again for a demonstration. (While no one attended that event, Missouri Department of Conservation Commissioners and staff had their first opportunity for a hands-on experience with the atlatl in 2006. MAA member Bruce Sassmann of Bland, a friend of then MDC Commissioner Chip McGeehan who had given Chip an atlatl and some darts, and Nick attended one of the Commissioners' meetings which was held at Chip's ranch, where Nick gave a hands-on demonstration.)

In response to a request by the Department, Victor, Ray, John and I worked on a definition of the atlatl and dart. Although we wanted to avoid specific dimensions, Department staff wanted dart length specified. The final definition adopted by the Department and incorporated into their regulations read as follows:

Atlatl: A rod or narrow board-like device used to launch, through a throwing motion of the arm, a dart 5 to 8 feet in length .

At their July meeting, the Regulations Committee unanimously approved a recommendation for changing the regulations to include the atlatl for hunting small game, and on August 18, the Commissioners approved their recommendation.

Following required procedures, the new regulations were posted in the November 1 edition of the *Missouri Register* on the Missouri Secretary of State's website for a period of 30 days. After the required posting period, they were incorporated into the 2007 *Wildlife Code* and the following announcement was published by Regulation Committee

Chair, John Smith in February 2007 issue of the *Missouri Conservationist* as part of a summary of changes in Department regulations:

• *The atlatl, an historic hunting tool, may be used to take nongame fish following the same regulations when gigging fish and to take small game. An atlatl is a rod or narrow board used to launch a 5-to-8-foot dart. The dart is launched by a throwing motion of the arm. The Missouri Atlatl Association presented the Regulations Committee and Conservation Commission with videos, demonstrations and other data showing how the atlatl works, its accuracy and the skills needed to use this primitive method.*

• *Darts used in hunting may not contain drugs, poison, chemical or explosives.*
(p.28)

2007 Small Game Hunting and Continued Efforts to Designate the Atlatl for Hunting Deer

Legalizing the atlatl for small game, effective 2007, was an important development and a major step taken by the Department. For the first time, the atlatl was incorporated into Department regulations and related literature. However, our primary goal was to have the atlatl designated as a legal means for hunting deer. Therefore, in an email dated February 7, 2007 I asked Mr. Smith if the Department had undertaken any additional studies regarding the potential legalization of the atlatl for deer. His response was as follows:

Regarding legalization of the atlatl for taking deer, the Department has not initiated any studies as such. However, you may recall that our initial approach to the big game question will be to monitor what is going on in other states that have authorized use of the atlatl for deer. Dr. Lonnie Hansen of our Resource Science staff tells me he intends to raise this topic for discussion at an upcoming multi-state meeting of deer biologists to see how it's going in other states. As you know, one of the primary concerns we have about authorizing the method for taking deer is the potential for wounding loss and related public relations issues. We are hoping this kind of information is being tracked in states where the atlatl is legal for deer.

While this was a reasonable approach on the part of the Department, we did not think it would lead to the gathering of supportive information, given that there was likely no state that had meaningful data. To our understanding, the atlatl was made legal in Alabama after an individual was able have a hand-held spear designated as a legal means for taking deer, and it was used for hunting in Alaska by the Yupik Eskimos.

In mid-March, Ray and I attended the annual CFM meeting. While we considered proposing another resolution supporting the legalization of the atlatl for deer, we decided that it was probably not necessary since we believed the Department was making a good-

faith effort to address the issue. Instead, we used the opportunity to informally address the issue with CFM members and Department staff.

That spring we invited the Commissioners and Department staff to MAA's first atlatl event in 2007. Although no Commissioners or staff attended, we wanted to make sure they had an opportunity to become personally familiar with the atlatl.

While, I am not sure how many individuals went small game hunting with atlatls in 2007, two events stand out. The first was when Ray took a squirrel on opening day of the squirrel season. Ray sent a picture to me and some others and both his brother Leroy and I sent the picture and information on to the Department which subsequently placed the account on their web site.

The second event was a rabbit hunt organized by Bruce Sassmann. Bruce contacted a friend, Mike Ridenhour of Belle, Missouri who raises beagles and is the publisher of the *The American Beagler*. Mike hosted the hunt on his property and provided the beagles. Atlatlists included Bruce, Commissioner Chip McGeehan, Richard Lyons, and me. While we did not "bag" any rabbits on what was a very warm October day, we had a memorable and enjoyable hunt and Bruce prepared an excellent short article published in the December 7, 2007 edition of *The American Beagler*. In addition, Bruce sent a summary of our hunt to Jim Low, a MDC staff writer for the Missouri Conservationist.

We were fortunate to continue receiving positive publicity regarding hunting with the atlatl. For example, in Fall 2007, Ray and I were contacted by Jason Jenkins, the field editor for *Rural Missouri*, a monthly publication of the Association of Missouri Electric Cooperatives that reaches throughout most of the State. Jason visited Ray at his home in Joplin and interviewed me by phone. The result was a very positive article published in the January 2008 issue titled: *The Ancient Atlatl-A hunting tool predating the bow and arrow, the atlatl makes resurgence in Missouri*. (Later in 2008, Ray and I were asked to introduce the atlatl to visitors in the Cooperative pavilion at the Missouri State Fair, and were selected to provide the program again at the 2009 Fair.)

In October 2007 I sent a note to Dave Erickson, the new head of the Regulations Committee, congratulating him on his new position and briefly summarizing some of our ongoing efforts since the CFM resolution. I mentioned, for example, that I had obtained signatures from WAA members at the annual meeting in New York supporting our efforts and signatures from Missouri residents during demonstrations of the atlatl at a Department sponsored event near St. Louis.

On October 26, I emailed the following proposal that Ray and I had prepared to Mr. Erickson.

***Proposal for the Legal Use of the Atlatl
for Hunting Deer and Turkey in Missouri***

For the purpose of hunting and fishing in Missouri, the atlatl will be considered as a longbow when setting regulations for the 2008 season.

Reasons for this proposal:

The atlatl (and dart) was the precursor to the bow in nearly all parts of the world and was used effectively in taking large game for thousands of years. Additionally, it has continued to be used by some cultures up to the present time.

Recent experiments have shown that the atlatl has penetration power at least equal to a 50# longbow while hunts for feral hogs and on game farms have demonstrated its ability to harvest large game in America.

The atlatl provides an additional opportunity for hunters to enjoy taking game in Missouri.

The atlatl does not provide any unfair advantage to a hunter pursuing game during the archery seasons. Rather, it would provide an alternative to those archers who want to face new challenges and excitement in pursuing game.

The atlatl is one of the safest hunting tools because of its short range and the tendency for darts not to travel far beyond its intended target or to glance off objects. It would, in fact, be the safest means for hunting deer in more densely populated areas of the State.

Including the atlatl with the bow eliminates the need for any special licenses or seasons. This also allows an archer to use either the bow or atlatl during the appropriate season.

While hunting with the atlatl requires a relatively high level of skill, its use should be self regulatory since hunters will not use it if they feel they have not mastered the skill needed to have a reasonable expectation of harvesting game. It can be expected that unlike many who deer hunt with a rifle, hunters using an atlatl will spend a great deal of time practicing before pursuing game.

The legalization of the atlatl for small game has created growing levels of interest among Missouri hunters with, to our knowledge, no opposition.

The best way to study the impact of the atlatl on hunting is to allow it. After the first year, if some unforeseen problems or complaints develop with this approach the rules could be modified at that time to address that specific problem.

Submitted by: The Missouri Atlatl Association

In an email response, Mr. Erickson thanked me for the proposal and indicated he would share it with members of the Regulations Committee and other key Department staff. However, the Department did not adopt our proposal when the Regulations Committee met in spring 2008.

2008 Efforts Continue

During February 2008 I attended the annual CFM meeting where, among other things, I set up a small display including copies of the *Rural Missouri* article and the rabbit hunt article in the *American Beagler* and gave copies of the articles to those who were interested including a past CFM president and recently appointed Conservation

Commissioner. (Ray had planned to attend, but was not able to because of inclement winter weather.) I also spoke at the Archery Committee meeting about including the atlatl in the archery season and did not receive any negative responses.

On May 3rd I received a letter from Mr. Erickson informing me that the Regulations Committee decided not to include the atlatl as a legal deer hunting method for 2008. This led to an exchange of emails. These communications were shared with Department staff and with key MAA members.

5/4/2008 9:50 PM

Dear Mr. Erickson:

Thank you very much for notifying me regarding the decision of the Regulations Committee to not include the atlatl as a legal means for hunting deer during the 2008 season. While we are, of course, disappointed, we appreciate the deliberate care the Department and Committee exercises in considering changes to existing regulations. We also appreciate your encouragement to remain optimistic.

Please let us know what concerns those Regulations Committee members who opposed legalizing the atlatl for deer hunting this year had. This would possibly allow us to address those concerns with the Committee. We were also wondering if the Committee discussed the issue in terms of the proposal we submitted that the atlatl be incorporated into archery regulations or if alternative regulations/seasons were discussed.

Again, thank you for your words of encouragement.

Sincerely,

Ron Mertz
Missouri Atlatl Association.

5/5/2008 9:18 AM

Mr. Mertz: Thank you for your follow-up communication.

I won't try to speak for the entire Regulations Committee, but will share my thoughts, and will also offer compliments to you and other atlatl enthusiasts on the continuing dialogue we've had on the subject.

I believe lethality questions regarding atlatl use have been answered. In the hands of a competent user, most are

convinced the devices are adequately lethal. However, we see value in gaining experience with atlatls as recently authorized for small game hunting. Please remember that, once legalized, there will be less experienced atlatl users participating. I won't say that I doubt their competence, but will say that their proficiency will not likely approach the level of experienced atlatl users such as your self. I see value in continuing to gain experience with the current regulations.

Secondly, staff made contact with two states (Alabama and Pennsylvania) which authorized atlatls for deer hunting to assess their experiences.⁹ As reported to us, it was completely non-controversial in Alabama, but the reports from Pennsylvania were very different with agency staff reporting the changes as a media circus with much misunderstanding and legislative repercussions. Given the small numbers of atlatl users, one has to question the policy wisdom of repeating such an event. It is a legitimate concern to us.

I hope my comments give you some perspective on the subject. I will add that by recent Commission action atlatls have been added to regulations, allowing the taking of certain non-game fishes as well as bull frogs¹⁰ and green frogs. This may add considerably to atlatl user opportunities. These rule changes become effective March 1, 2009.

Dave Erickson, Assistant Director Missouri Dept. of Conservation

After discussing Mr. Erickson's letter with fellow MAA members and several atlatlists in Pennsylvania, I prepared a response in which I proposed an experimental hunt.

5/23/2008 11:58 AM

Mr. Erickson,

Thank you for sharing your thoughts regarding the Regulations Committee's decision to vote "no change" in the status of atlatls for hunting deer in the 2008 season. After discussing your letter with several other atlatlists last weekend, I would like to briefly respond to each point and offer a suggestion for consideration.

⁹ As noted above, the atlatl was never actually authorized for hunting in PA.

¹⁰ In 2009, Chip McGeehan became the first person to harvest the daily limit of bull frogs with an atlatl in Missouri.

We are pleased that lethality of the atlatl and dart has been recognized. We also understand the Committee's viewpoint that there is value in gaining experience with the present status of the atlatl for small game hunting. For example, the inclusion of the atlatl in Department regulations has brought more awareness and interest among Missouri hunters.

We recognize that the atlatl is a short distance hunting weapon and requires considerable practice to be used successfully in hunting. We also believe that there is a self-selection process when individuals choose a method of hunting and that individuals who choose to hunt deer with an atlatl are likely to do so after they have reached an adequate skill level. While we understand the Committee's concern regarding the events in PA when efforts to have the atlatl legalized for deer hunting ran into publicized resistance from several animal rights activists (apparently including a member of the PA legislature), we honestly believe that this would not be the case in Missouri. Our own experience when demonstrating or talking about the atlatl has been quite positive on the part of Missouri residents.

We are, of course, not in a position to second guess the Department and Regulations Committee and we respect your decisions. Nevertheless, I hope that you will understand our ongoing quest to have the atlatl recognized for what it is - a historically legitimate and lethal means of taking large game.

In light of your concerns, we would like to propose that the Department conduct some form of an experimental hunt. One possibility would be to include it in one or more primitive weapons hunt. Another would be to restrict it in terms of time and location. Having an experimental hunt would help address the Conservation Federation's recommendation that the Department conduct research concerning legalizing the atlatl for deer, and would allow the Department to access the public reaction while doing so from a legitimate and defensible research perspective.

We hope that the Regulations Committee/Department will give serious consideration to this suggestion.

Sincerely,

Ron Mertz
Missouri Atlatl Association

5/23/2008 12:53 pm

Thanks, Mr. Mertz.

I will share your recommendation with members of the Committee for their consideration. One could argue an experimental hunt might draw more attention to the event than either atlatl enthusiasts or the Department would like. Nonetheless, your idea is a continuation of our dialogue and something to consider.

As always, I appreciate the contact.

*Dave Erickson
Assistant Director
Missouri Dept. of Conservation*

5/23/2008 1:23 PM

Mr. Erickson,

Perhaps it would draw more attention, but the important point for the Department is they can justify it as part of legitimate ongoing research that will contribute to future decision making.

Thanks.

Ron Mertz

5/23/2008 2:57:38 PM

Your point is well taken, Mr. Mertz. Thanks.

*Dave Erickson
Assistant Director
Missouri Dept. of Conservation*

My next communication with Mr. Erickson was on September 4, 2008 when I sent him some signatures in support of allowing the atlatl for deer hunting and asking again that the Department consider at least an experimental season or hunt.

September 4, 2008
Dear Mr. Erickson,

I am enclosing two sets of signatures of Missouri residents indicating support for the legalization of the atlatl and dart for hunting deer in Missouri. The first set was obtained when I gave a talk to members of the Missouri Archaeological Society at Mastodon State Park last May, and the second set was obtained from visitors to our booth at the Missouri Electric Cooperatives building during the State Fair on August 15. As a result of an article in the January issue of Rural Missouri, we were asked to spend the day presenting about the atlatl. While we did not demonstrate because of the available space, we did show a video I had made several years ago in which five guys threw darts at a 3-D deer. In addition to explaining the atlatl, we (Ray Madden and I) explained about our efforts to legalize the atlatl for deer hunting and asked the visitors to sign the enclosed form if they supported the effort. We received no negative feedback, and as I recall, almost everyone who we had a chance to talk to signed the statement.

While there are likely to be some Missourians who would oppose legalizing the atlatl for deer just as there are Missourians who are opposed to any form of hunting, I have found a high level of receptivity to the atlatl among individuals I have met during talks or demonstrations.

I am also enclosing signatures obtained during our annual World Atlatl Association Meeting last year in New York from members who indicated they would strongly consider coming to Missouri as a non-resident to participate in an atlatl deer hunt.

I hope the Department will seriously consider at least an experimental season (or hunt). This would allow the Regulations Committee to measure public reaction without being in a defensive position and would be in line with the Conservation Federation's recommendation several years ago.

On a personal note, 2009 will mark 50 years since I shot my first deer with a bow. While, this has no real relationship to the decision by the Department to consider the atlatl for deer hunting, I guess it has been my personal goal to mark that anniversary by having the opportunity to pursue deer in Missouri with the atlatl.

Sincerely,

Ron Mertz
Missouri Atlatl Association

2009 No Breakthroughs Regarding Designating the Atlatl for Deer, but MAA Board Members Are Added.

In February 2009, I again attended the Conservation Federation Annual meeting and for the first time donated an atlatl and dart for their live auction. My intent was two-fold. First, having joined CFM I had developed an appreciation of the importance of the organization's role in promoting outdoor activities and the natural environment in Missouri and felt I should make some contribution. Second, I felt the live auction would promote more awareness of the atlatl. I was especially pleased when the high bidder was a Department staff member.

In April I contacted Dave Erickson to enquire if the Regulations Committee was considering a trial season and received the following response:

We have not recommended a trial effort, Mr. Mertz, and I recognize this will be a disappointment to you.

The Regulations Committee continues to have concerns about possible (maybe even likely) public misunderstanding regarding atlatl provisions for deer. In addition, the topic was complicated by a parallel recommendation presented to the Department this year from another citizen recommending use of thrusting spears for hunting. Both subjects were thoroughly discussed by our Deer Regulations Task Force and the Regulations Committee as we prepared for 2009 recommendations.

In making the decision, the Committee has had to consider the interests and image of the broader hunting community, public perceptions (or misperceptions on atlatls and thrusting spears), and the probable very low numbers of participants involved in both activities.

I will add how much I appreciate your approach to the topic. You have been most reasonable in all discussions to date. Thanks.

*Dave Erickson, Assistant Director
Missouri Department of Conservation*

Mr. Erickson's response was, of course, disappointing and meant another year would pass before we had the possibility of pursuing deer with the atlatl. On the positive side, we recruited a number of Missourians in 2009 who were atlatl enthusiasts including Jon Wood of Madison, MO who the Board appointed as MAA Vice President/Treasurer and Justin Garnett of Columbia, MO who the Board appointed as MAA Secretary. Another new member, Kevin Brauer, organized a small game hunt during early November.

2010 Atlatl Deer Hunting Approved for the Firearms Season

After working with the Department for six plus years, 2010 was the year we finally reached our goal of legalizing the atlatl for pursuing deer in Missouri.

While I had joined the CFM several years before, in early January, we (MAA) decided to join the CFM as an affiliate member. By joining, we felt we were recognizing the support Dave Murphy and the Conservation Federation had given MAA and membership would allow us to have our events published in the calendar of their publication.

On January 20, I emailed Mr. Robert Ziehmer who had recently been appointed Director of the Missouri Department of Conservation. In the letter, I briefly pointed to the 2006 CFM resolution and requested an opportunity for MAA members to meet with the Regulations Committee on February 9th.

On February 9th Jon Wood, Justin Garnett, and I met with the Regulations Committee where I distributed copies and then reviewed the proposal I had drafted and shared with our MAA Board.

Proposal to Conduct a Study to Determine the Feasibility of Legalizing the Atlatl and Dart for Hunting Deer and Turkeys in Missouri

First, we would like to thank you for the opportunity to meet with you today. As most of you likely know, we have come to discuss with the Regulations Committee a proposal for a study to determine the feasibility of legalizing the atlatl and dart for hunting deer and turkeys in Missouri.

Our efforts date back to 2003 when we met with the Regulations Committee and it was suggested that we work with the Conservation Federation of Missouri. As a result of working with CFM, their 2006 Resolutions Committee called for the immediate legalization of the atlatl for hunting small game and also called for the Department to “undertake further study and research necessary to determine the feasibility of future use for harvesting big game.” In response, the Department designated the atlatl for pursuing small game which has helped to increase awareness of this hunting tool among Missourians. To date, however, little has been done to undertake further study and research. We realize that the Department might have legitimate concerns in designating the atlatl and dart as a legal means for pursuing large game, given the paucity of data.¹¹ Therefore, we are proposing a study that would provide for the collection of meaningful data intended to assist the Department in determining the feasibility of legalizing the atlatl for large game.

We propose that during the fall 2010 archery deer and turkey seasons the Department issue a limited number of research exemptions for using the atlatl and dart in place of or in addition to the bow. In order to be given an exemption, individuals would be required to keep a log of their atlatl hunting activities. Examples of information

¹¹ It is legal to use the atlatl for deer hunting in Alabama. However, beyond indicating that they have not received any negative public reaction, a game enforcement officer recently reported that they do not keep data regarding atlatl hunting in their state.

recorded could include: dates in the field, number of deer sighted, number of attempts, clean misses, non-fatal hits, and game harvested. For all attempts, the approximate distance would be reported. Appropriate resident or non-resident archery permits would be required.

In addition to obtaining information regarding the efficacy of the atlatl and dart for pursuing deer and turkeys, the study would also allow the Department to obtain information regarding public reaction.

We would view this study as a cooperative effort on the part of the Department and the Missouri Atlatl Association. Since a number of MAA members have extensive experience in designing and conducting research projects, we would welcome the opportunity to assist the Department in data gathering, analysis, and reporting.

*Missouri Atlatl Association
February 9, 2010*

Our major reason for requesting a study exemption was because we believed the Department would not have time to take the necessary steps to include the atlatl in the 2010 regulations. We felt the exemptions would allow for the trial use of the atlatl during the fall season since it would not require a change in the present regulations. As in previous meetings with the Committee, our presentation was well received and Dave Erickson indicated that some form of action would be taken. Then, on March 29th in a phone conversation, Regulations Committee member Ron Dent confirmed that the Committee had approved the atlatl for use during the firearms season! This was a more positive step than providing for a study exemption since it would not restrict the number of hunters and meant that the steps to make it law would be taken. While we would have preferred being able to hunt during the archery season, initially limiting it to the firearms season was a reasonable step since it would allow the Department to assess public reaction for a more limited season. Also, the time required to take the required steps to change the law would have meant that the new law would not have been in place by the beginning of the archery season (mid-September).

During the fall and winter of 2010 I conducted a survey of known atlatl hunters. Although the Department did not ask us to do a study, I felt it was important to document, to the degree possible, this historical development in the contemporary atlatl world. Of individuals who responded, eleven indicated they had hunted one or more days. Of the eleven, one indicated he had thrown once and another reported throwing twice. The three throws were clean misses.¹² After the report was written, I learned of three other individuals who had hunted (with no throws). The report summary stated:

Despite the fact that no deer were harvested during this first season, in the author's opinion, it was a success. Participants enjoyed the experience and became more aware of the special challenges that use of the atlatl brings to the deer hunting experience. Also, while the number of hunters using an atlatl was very small compared to firearms and archery hunters, the designation of the atlatl as a legal method of pursuing deer has

¹² Mertz, Ronald E., MISSOURI ATLATL DEER HUNTING REPORT FOR THE 2010 SEASON, December 2010. The report is available from the author at devoemertz@sbcglobal.net.

spurred a growing interest among Missouri hunters and the number will likely be larger next year. Designating the atlatl for use during the archery season would almost certainly increase the number of hunters using the atlatl. It would extend the time available for pursuing deer and provide a more conducive environment for hunters who want to experience a new level of challenge and enjoyment.

2011 Two Hunters Harvest Deer with Atlatls during the Firearms/Atlatl Season and the Department Approves the Atlatl for use during the 2012 Archery Season

During 2011, atlatlists once more had the opportunity to pursue deer during the firearms season and I again surveyed potential participants that I had identified. This time, two of the hunters, Luke Boenker of Maryland Heights, MO and Scott Rorebeck of Trenton, MO reported success. Both Luke and Scott were seasoned hunters, but were relative newcomers to the atlatl. Scott had started throwing in 2010 and hunted the first season, while Luke first used an atlatl in July 2011.

I summarized and concluded the 2011 report as follows:

This was the second year Missouri hunters were able to use the atlatl for pursuing deer. While it is likely that some individuals unknown to the author used the atlatl during the season, fifteen hunters responded to a survey sent to them by the author. This included eight of eleven individuals who had responded to the 2010 survey. This year, 75% of hunters reported seeing deer in atlatl range compared to 45% last year; and while only two (18%) reported throwing at deer last year, eight (53%) did so this year. Even more noteworthy, two atlatlists were successful in harvesting deer during the 2011 season.

While atlatlists were required to hunt during the firearms season the last two years, in fall 2012 they will be able to hunt during archery season. This change greatly expands the chance of successfully harvesting deer with an atlatl by increasing the length of time to hunt, providing more favorable weather conditions, and not requiring the wearing of hunter's orange.

It can be expected that with the expanded season and increasing awareness of the atlatl, the number of Missourians who take up this ancient tool for pursuing deer will continue to expand. However, opportunities often bring challenges. In this case, the major challenge for all who take to the field with their atlatl is to ensure that when they throw, they are reasonably confident of making a "clean kill." Practicing at a variety of distances with such targets as milk jugs suspended on a stick or 9" paper plates should help potential hunters assess appropriate distances and their skill level before the next season.¹³

¹³ Ronald E. Mertz, PhD. RESULTS OF MISSOURI'S 2011 ATLATL DEER SEASON. Submitted to the Missouri Department of Conservation on January 17, 2012. Available on WWW.Worldatlatl.org or from the author at: devoemertz@sbcglobal.net.

SUMMARY

As I finish this report, it is nearly the start of the 2012 archery/atlatl deer season in Missouri and about nine years since Ray Madden and I first met with Missouri Department of Conservation staff to seek legalization of the atlatl for hunting deer. While the process was long – four years to legalize the atlatl for small game and seven years for the initial opportunity to hunt deer, I personally feel our interaction with the Department was always positive and one of mutual respect. Also, we were very fortunate to have the support of the Conservation Federation of Missouri. Additionally, we were fortunate that all press coverage during this time was positive.

We hope that our success in having the atlatl designated as a legal means for hunting, including small game, deer, and turkey in Missouri will help fellow atlatlists in other states in their efforts to have the atlatl recognized as a legitimate means for taking game.

September 14, 2012