

BALLOT INITIATIVES AND WILDLIFE MANAGEMENT POLICY CHANGE IN TWO WESTERN STATES

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ABSTRACT

In the wildlife policy arena ballot initiatives have been used increasingly over the past two decades to wrest control of policy from legislators and bureaucrats. This trend has led to dramatic changes in policy as professionals are forced to adapt to changing political winds. I use a model of policy change developed by Baumgartner and Jones to examine how the wildlife policy arena has changed in recent years by ballot initiatives. Case studies involving trapping in California and Colorado are examined to determine whether the wildlife establishment prevails is affected by the success of opponents in altering policy image.

Over the past decade and a half perhaps no wildlife management tool at the state level has come under greater criticism than use of the steel-jawed, leg-hold trap. Eight states—Arizona, California, Colorado, Florida, Massachusetts, New Jersey, Rhode Island, and Washington—have outlawed the use of these supposedly cruel devices. In all states but Florida, New Jersey, and Rhode Island, voters—not state legislatures—approved the bans. Advocates of trapping bans have spent millions on ballot issues, usually effectively overwhelming federal and state wildlife agencies which argue that the use of the ballot box makes a mockery of the professional decision-making superiority of wildlife managers.

The ferocity of the debate is rooted in differing perspectives of the safety of traps to capture predators of livestock. The leg hold trap itself is comprised of two jaws, a spring, and a trigger. When the animal steps on the trigger the trap

closes around the foot, preventing the animal from escaping. Trappers claim that careful use can allow the target animal to be captured without threatening other animals who might inadvertently step on the trap. Without leg hold traps, predator populations multiply to unmanageable levels, trappers argue. Humane organizations, however, say trappers rarely care for animal welfare. Instead, humane organizations argue, use of leg hold traps more often lead to the breaking of animals' legs and unnecessary inflicting of pain.

This article examines whether rapid policy change occurred on trapping policy in two western states, California and Colorado. The case study approach is used to examine how and why wildlife management professionals lost the trapping fight. First, did the ballot initiative play the pivotal role in determining the issue, or were the losses preordained by earlier legislative and agency debates? Second, was the change sudden, or did it occur gradually? California and Colorado were chosen because, though worthy of comparison in that the ballot initiatives occurred just two years apart (Colorado banned trapping in 1996, followed by California in 1998), the two western states are distinctively different. Colorado, though highly urbanized along the Front Range, has a part-time legislature that meets just four months a year. The state also has wide swaths of unpopulated federal lands. Wildlife policy is a topic of interest both to hunters and other outdoorsmen, as well as to the many city dwellers who head out on weekends to the Rockies for skiing, camping, and other recreational pursuits. California, with 36 million citizens concentrated in southern California and the San Francisco Bay areas, pays less attention to wildlife issues, though it too has abundant federal land and rural areas with a sizeable wildlife population. California also has a full-time legislature, which provides a more significant forum for debate about state policy issues. Despite these differences, however, both states are among the most prolific users of the initiative. From 1978 through 1996, a study showed that California alone put 98 measures on the ballot, ranking the state first in initiative usage. Colorado was third (following Oregon), with 46 measures [1]. As with all case studies, the conclusions drawn from this study must be confined to the policy arenas of the two states. However, the case study method is a useful test of public policy change models.

REVIEW OF LITERATURE

Policy change in recent years has merited much attention from public policy analysts [2, p. 138]. This attention is well deserved, especially as it relates to rapid political change defying long-held assumptions on the incremental nature of the American political system. The growing body of policy literature indicates, on the one hand, that the political system displays stability in the way issues are processed through political institutions on a year-to-year basis. On the other hand, however, the apparent stability masks the fact that long periods of stability are punctuated by periods of profound change [3, 4].

This study is just the latest in a long tradition of inquiry on institutional policy change. The importance of policy image and institutional venue was underscored by E. E. Schattschneider 40 years ago in the classic work *The Semisovereign People*. Schattschneider [5] argued that losers in a policy debate have the motive to change the roster of participants by appealing to those not currently involved. Since losers, the people who in initiative campaigns have the incentive to go about collecting petition signatures to get their issue on the ballot, are most likely to appeal to a new venue, the initiative becomes a valuable tool for them to get an opportunity to win the next round.

In the past decade, a burgeoning literature has developed on how policy change occurs within decision-making arenas characterized by subgovernment dominance in which public policy is resolved within specified issue areas by relatively few political actors. This policy change literature has largely focused on statutory shifts in Congress and other levels of the federal government. Some studies [6, 7] have shown that policy change can occur within issue areas characterized by subgovernment dominance, while others [8, 9] have shown that the countervailing power of social movements can help unravel established institutional barriers. Generally speaking, tests of the Baumgartner and Jones model at the federal level illustrate how periods of stability are supplanted by periods in which issue monopolies are destroyed by the intrusion of new ideas and participants in the policymaking process [10, 11].

Whether these changes occur in a similar fashion at the state level is unclear. A test of the applicability of the Baumgartner and Jones model to issue monopolies in states that have increasingly relied upon non-legislative forms of policymaking, notably citizens' initiatives, seems warranted. A citizens' initiative is defined as a proposal for constitutional or statutory change submitted to the voters for decision at a special election or the next general election. The purpose of this article is to assess the role of the initiative as a precipitator of policy change at the state level. Little research has been done on the use of initiatives to bring dynamic policy change, something this article seeks to explore. Toward this end, initiatives in California and Colorado are analyzed over time, using wildlife conservation as the policy vehicle.

A key element of the Baumgartner and Jones model is what the authors call "the emergence and recession of policy issues from the public agenda" [3, p. 1]. This appearance of certain issues on the agenda creates vitality in the policy arena. However, institutional structures already in place often frame the debate when these new issues emerge. The presence of these institutions often structures public participation in the political process so much that an illusion of equilibrium is created that might last for decades. Eventually, existing institutional structures break down over time, resulting in the opportunity for others to gain access to the agenda and replace previous dominant players in policy process with other participants [3].

Policy monopolies play a key role in this model. A policy monopoly is defined as “political understandings concerning the policy of interest, and an institutional arrangement that reinforces that understanding” [3, p. 6]. These monopolies have definable institutional structure that controls policymaking and limits access to the issue area. These monopolies have powerful issue images supporting them. The policy process can be relatively stable, with little or no conflict, when these monopolies or partial monopolies exist. Eventually, a slight change in venue or image occurs. This slight change leads to a larger change that is reinforcing or self-perpetuating, as previously apathetic groups become involved as the issue image expands to include their interests.

The wildlife issue area is especially relevant for a state-level test of the Baumgartner and Jones model. Policy formulation and implementation of wildlife issues are largely set and controlled at the state, not the national, level. This is due largely to the strong role played by state wildlife agencies whose behaviors are shaped at the state level based on political and cultural considerations. Between 1901 and 1982, more than 450 anti-trapping bills were introduced in state legislatures nationwide. During this period, 50% of efforts to restrict or end trapping were at the state level, compared with 30% at the local level and 20% at the federal level [12].

However, wildlife advocates have frequently been frustrated in their attempts to achieve change working with state agencies and legislatures. This frustration has reinvigorated the use of the initiative as a tool to achieve policy change in the years since 1984. Despite the growing popularity of initiatives in the last two decades, most scholars have focused little attention on the impact that initiatives in the wildlife area have had on state-level policymaking. Most of the work on ballot initiatives has thus far been done by wildlife academicians and wildlife agency professionals from the West. They have viewed with alarm the role that ballot initiatives have played in subverting traditional control by wildlife managers. A 1997 symposium in Keystone, Colorado, led to publication a year later (Summer, 1998) of an entire issue of the journal *Human Dimensions of Wildlife* devoted to how wildlife managers could cope with the threat of ballot initiatives. Researchers [13-16] have tended to view the initiative process as one involving an unwelcome threat to professional management. Whittaker and Torres [15] stated that ballot initiatives “may represent the single greatest challenge natural resource managers will face while moving into the new century.” The problem facing wildlife managers stems from the fact that the institutional values of state fish and game agencies have not kept up with changes in public attitudes [17].

METHODS

Three findings from Baumgartner and Jones are tested in this article. These include the following hypotheses or expectations:

Hypothesis 1) *Policy change is more likely to occur when the tone of media coverage in legislative hearings and initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.*

Hypothesis 2) *Policy change is more likely to occur when financial resources/campaign contribution challenge policy image and the policy supported by the existing monopoly.*

Hypothesis 3) *Policy change is more likely to occur when interest groups and activists challenge the policy monopoly's issue image through the introduction of bills in the legislature and in ballot initiative campaigns.*

In this study, policy change is the dependent variable. Policy change is defined as a major shift (as distinguished from an incremental shift) in public policy reflected in the enactment of new measures in wildlife policy. A major shift is distinguished from an incremental shift in that the former involves a paradigm shift in policy expectations reflected in statutory, administrative, or constitutional law. For example, a statutory shift to ban a practice such as allowing hunting of bears in the spring is a major shift, whereas a policy change to change the dates of the season to control hunting levels is an incremental shift in policy. The independent variables in this study are media coverage, political contributions, and state legislative activity. It is hypothesized that any one of these variables, or a combination of them, affects the intervening variable, policy image, which in turn affects policy change. This change may occur in the policy venue, which can be either the legislature or the ballot initiative.

A listing of the independent variables and a brief discussion of their operationalization follows.

1. *Media coverage.* Coverage is analyzed through the examining the focus of stories in the two major papers in California and Colorado. The *Denver Post* is used in examining Colorado, and the *Los Angeles Times* is used in examining California. Both are the largest newspapers in their respective states, and are considered papers of record concerning state political coverage. The number of stories in each category will help reflect the degree to which the trapping issue remained confined to the wildlife agency and concerned routine management of the governmental agency, or whether the number of stories reflected instead a wider public concern on policy matters.
2. *Political contributions.* The proportion of political contributions collected from groups seeking to break the policy monopoly is compared to total contributions in the initiative campaign.
3. *State legislative activity.* This refers to the actual number of issue-related bills on trapping introduced in each session of the legislatures of California and Colorado. An increase in the number of bills should be the result of greater public focus on the issue, indicating a loss of control by the professional wildlife agency.

All of these factors have an impact on the intervening variable, policy image, the key ingredient determining whether dramatic policy change will occur. Policy image is defined as the perception the general public and policymakers have of a public issue, and it is operationalized through measures such as scientific public opinion polling and the analysis of committee hearings and media coverage. The policy venue, defined as institutions or groups in society that have the authority to act in a particular issue area, is also a key intervening variable. A venue is a political institution, such as the initiative process or legislative body, in which the decision-making on policies occurs. Expanding the venue to the entire voting electorate of a state thus raises the odds tremendously that people will hold many different views of the appropriate policy image.

THE COLORADO CASE STUDY

In the case of trapping reform, the issue gained notoriety throughout the 1990s as animal-rights activists became dissatisfied with the efforts of the Colorado Division of Wildlife officials to manage the issue. Wildlife professionals have traditionally opposed the use of ballot initiatives to resolve policy disputes. They see them as a threat to the “well ingrained principles that wildlife decisions should be based upon deliberation of scientific information” [18]. Professionals also see initiatives as challenging the interests of traditional user groups (hunters, anglers, trappers, agriculturalists) that have formed strong political alliances with wildlife agencies [18]. The politics of trapping is tied to the politics of barring the spring bear hunt, and the politics of an increasingly urbanized Colorado. Polls commissioned in 1989 and 1990 by the Division of Wildlife, the state’s research and wildlife policy-implementing agency, revealed that 90% of respondents disapproved of spring bear hunts, as well as the use of hounds and bait stations in hunting bear. In 1990, the division’s wildlife policy experts recommended internally that the Wildlife Commission phase out the spring hunting season to improve the division’s image with the general population. Hunting and outfitting organizations, seeing this as a capitulation to animal-rights groups, argued against the change. In 1991, the commission at a meeting in Grand Junction sided with hunting groups, voting to extend the spring hunting season by two weeks. The result was an initiative campaign in 1992 that resulted in Colorado voters barring spring bear hunts. The 1992 initiative passed 69.7% to 30.3%.

The vote served as a wake-up call for division wildlife officials. However, according to Bruce Gill, a division wildlife research leader, the agency misread the conflict as a fight between animal-rights activists and traditional hunting concerns. Instead, said Gill, the spring bear hunt initiative was a reflection of mainstream public values [19, 20].

The defeat of traditional hunting interests in the 1992 election brought to the attention of top state leaders, including then Governor Roy Romer, as well as the Department of Natural Resources and Division of Wildlife that wildlife

management practices were out of step with the overwhelming sentiments of Colorado voters. The Wildlife Commission directed the Division of Wildlife to review trapping policies and regulations. Those regulations resulted in trapping policies that were consistent with public expectations of humane treatment of animals, the use of hunting and trapping as tools to effectively manage animal damage, the involvement of diverse interests in the decision processes, and using studies that would determine mainstream public values [19].

The Division of Wildlife's Furbearer Management Program, initiated in the fall of 1994, was to have been an opportunity for all groups to reach consensus on trapping policy. Its report, issued in 1995 under the supervision of James P. Fitzgerald of the University of Northern Colorado's Department of Biological Sciences, provided important details that examined the problem caused by the divergent policy goals of animal-rights activists and hunting and trapping interests. In July 1995, Colorado State University's Human Dimensions in Natural Resources Unit released the results of a poll that was supposed to show that common ground existed between supporters and opponents of trapping. In a statement released by Colorado State University, Mike Manfredo, leader of the unit, reported that a majority of those answering the survey said they support trapping to prevent the spread of disease or to protect livestock and property. However, trapping opponents focused instead on the fact 61% of state residents in the poll who said they would vote to ban trapping (Colorado State University 1995, News Release). Later political actions in 1995 and 1996 would convince these residents that a ballot initiative similar to the one in 1992 that resulted in banning spring bear hunts would be successful given prevailing public opinion. In just six years, the problem had been defined in such a way that supporters of a proposal to restrict trapping could be reasonably confident their efforts would be successful if they could get the issue on the ballot.

During the 1990s, organized groups, both inside and outside government, got more involved in producing information to influence policy.

However, as is the nature with many campaigns that eventually lead to state initiatives, political activists in the environmental and animal-rights communities bypassed the then Republican-dominated General Assembly, which they viewed as unfavorable to their cause. This was especially true on the trapping issue, where animal-rights backers have few friends. The only legislation on trapping introduced before 1996 was in 1990, when then-state Senator Flo Mendez, a Democrat, introduced two anti-trapping bills that failed to pass.

In the 1996 session, however, animal-rights opponents overplayed their hand in the General Assembly. Senate Bill 167, transferring control of predatory animals from the Division of Wildlife to the Department of Agriculture, was passed and signed by Romer. The bill, sponsored by State Senator Don Ament, an Eastern Plains rancher, drew support from groups such as the Colorado Wool Growers Association and the Colorado Cattleman's Association. However, the decision by Romer to sign the bill enraged environmentalists and polarized the

two sides further. Romer's approval of the bill mobilized mainstream environmental groups such as the Sierra Club. The governor accompanied his signature with a rare five-page statement explaining his decision (*Denver Post*, April 13, 1996, p. B-1). The stage was set for the petition-gathering process in the summer of 1996 that led to the ballot issue.

In November, following an advertising campaign featuring animals suffering in traps, voters narrowly supported the ban by a 52% to 48% margin. The state's rural areas opposed the trapping ban, with the margin of victory provided by the state's 13 populous Front Range counties, while rural residents in the state's 50 other counties opposed the measure.

Since the defeat, trapping advocates have continued to plead their cause, although with limited results. In 2001, the Colorado Supreme Court declined to hear an appeal challenging the anti-trapping law. In 2006, 10 years after passage of the amendment, they sought permission from the state Wildlife Commission to allow them to kill 10 animal species. The Wildlife Commission decided to allow trapping seasons for mink and marten, arguing that resuming trapping would not hurt the species' populations. However, the Commission decided to continue to bar trapping and hunting of skunks, foxes, weasels, opossums, and ringtail cats.

THE CALIFORNIA CASE

Two years after passage of the Colorado trapping ban, California voters in the fall of 1998 were provided an opportunity to decide whether to ban the trapping of wildlife in their state. Although the initiative (Proposition 4) banned trapping of fur-bearing or non-game animals by private citizens, the measure would allow government officials to continue to use padded steel-jawed traps to protect public health and safety. It also specified that rat and mouse traps would still be allowed. Proposition 4 would stop most types of animal trapping in the state, both by private trappers who sell the pelts, and professional trappers targeting dangerous animals or those that cause property damage by undermining river levees and killing livestock.

Proposition 4 was sponsored by a coalition of national animal protection group, led by the U.S. Humane Society, which argued that the fur trade has no place in modern California. Other members of the coalition included the American Society for the Prevention of Cruelty to Animals, the Animal Protection Institute, the Ark Trust, the Doris Day Animal League, and the International Fund for Animal Welfare. The coalition cited more humane methods that are available than steel-jawed traps or poisons for trapping animals causing property damage. For capturing animals that threaten people, the animal protection group argues the initiative provides leeway.

Opponents included the California Farm Bureau Federation, the California Cattlemen's Association, the California Wool Growers Association, the

California Trappers Association, the California Waterfowl Association, and the National Tax Limitation Committee. The state Department of Fish and Game estimated at the time that passage of the initiative could cost state and local governments as much as \$2 million a year in extra animal control costs. Because of that, the National Tax Limitation Committee opposed the measure.

Organizations backing the measure said the traps—particularly steel-jawed, leg-hold traps—are cruel and dangerous to other animals. “The cruelty comes not only when the jaws slam shut on the animal, but also when the animal struggles to escape,” Aaron Medlock, a lawyer for the Humane Society, told the *Sacramento Bee* (Capps, “Measure Targets Animal Trapping: Humane Methods Available,” October 5, 1998, p. A-1).

Proposition 4, which was approved on November 3, 1998:

- Banned the use of steel-jaw, leg-hold traps in California.
- Banned the use of padded-jaw, leg-hold traps except in “extraordinary” circumstances concerning public safety, which are not defined by the initiative.
- Banned the use of body-crushing Conibear traps and snares by commercial trappers, except to allow their use to catch animals threatening people, property, or livestock.
- Banned two types of poison used to kill coyotes—Compound 1080 and cyanide. Simple mouse and rat traps, as well as cage traps that catch animals alive, would be allowed by Proposition 4.

The animal protection coalition argued successfully that body-gripping traps are inhumane, and the use of poisons threatens non-targeted animals and pets. The campaign over the proposition was emotional. In a fund-raising mailer, opponents displayed several photographs of a snarling coyote with the warning, “Don’t fall prey! Vote no on Prop. 4.” Proponents, on the other hand, aired television ads similar to ones broadcast two years ago in Massachusetts showing pictures of animals caught in traps. One advertisement ended with an interview with a couple who said their dog had lost a leg in a padded-jaw, leg-hold trap.

Professional wildlife officials argued unsuccessfully that the measure did more than limit—it banned the use of some of their most effective tools. They warned that passage of the initiative would severely hamper their efforts to control dangerous animals, and it would force them to kill, rather than relocate, animals causing property damage. Wildlife managers also argued that a prohibition of leg-hold traps would halt many research projects and programs to protect endangered species, and curtail programs to combat infectious diseases, such as bubonic plague. Opponents of Proposition 4 argued that California already had stiff restrictions on trapping, including a requirement that the jaws of unpadded leg-hold traps be set loose and not close all the way. Other California restrictions required that leg-hold traps be equipped with shock absorbers to help prevent injury to the animal and that traps be checked at least once every 24 hours.

The vote was overwhelmingly in favor of banning trapping, though the statewide support totals can be considered somewhat misleading. A total of 57.5% of those voting supported the trapping ban, with 42.5% in opposition. However, the margin of success was due primarily to overwhelming support in the state's most populous counties. For example, the southern California and Bay Area counties voted overwhelmingly in favor of the ban, overwhelming the rural areas and more conservative Central Valley. Seventy percent of the voters in San Francisco County supported the ban, followed by Los Angeles and Santa Cruz counties with 64%. Alameda and San Mateo counties with 62%, and Contra Costa County with 61%. Of the state's most populous counties, the proposition lost only in Fresno County, where it was supported by 47% of voters. Of the state's 59 counties, the proposition won majority voter support in 29 counties, and lost in 30 counties. It fared worst in the rural inland counties of northern California where the culture of agriculture, hunting, and trapping is strongest.

FINDINGS IN CALIFORNIA AND COLORADO

How well does the Baumgartner and Jones model predict dramatic policy change in the trapping initiatives in California and Colorado? Was it legislative action in the state's respective legislatures, or factors more directly attributable to the initiative process, that spurred the change?

These hypotheses correspond to the first independent variable, media coverage. The *Denver Post* Print Index [21] was reviewed back to 1975, as was the ProQuest database for the *Los Angeles Times*. The keywords in both case studies were the state name (California or Colorado) and "trapping."

Hypothesis 1) Policy change is more likely to occur when the tone of media coverage in legislative hearings and initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.

Table 1 summarizes the categorized data for California, and Table 2 summarizes the categorized data for Colorado. The data is reported in approximate five-year intervals, with an explanation following of specific years where appropriate.

As expected, there was a sharp increase in numbers of stories late in the 1980s, peaking in the early 1990s. The focus of the stories also changed. Stories were coded depending on whether the content of the story dealt exclusively with wildlife agency activities, or whether the story discussed issues of wider legislative or general concern. Up until the mid-1980s, the stories primarily focused on the activities of state and federal wildlife agencies in regulating trapping. In the 1980s, however, that focus dramatically shifted, with the rise of the animal rights movement. Thus, in the case of California, the hypothesis that the focus of media coverage changed from one focused on wildlife agency activities to

Table 1. Media Coverage of Trapping Policies in California, 1976-2005

Year	Total stories	Confined to Wildlife Agency activities	Wider legislative or general concern
1976-1980	13	10	3
1981-1985	29	19	10
1986-1990	19	13	6
1991-1995	34	5	29
1996-2000	11	1	10
2001-2005	10	6	4

Source: *The Los Angeles Times* [23].

broader legislative and judicial concerns about wildlife interference with residential development is supported.

None of the coverage in the *Los Angeles Times*, however, was specifically about the state ballot initiative of 1998. This would lead to the assumption that the breakdown in the policy monopoly enjoyed by wildlife agencies occurred before the ballot initiative. The breakdown of the policy monopoly appears to have occurred in the 1980s, with the rise of environmental coverage and the increase in concern about animal rights. Nevertheless, the initiative was needed in 1998 because actions of the legislature were too incremental for wildlife advocates.

This trend on initiative coverage was confirmed by a review of two other California newspapers, the *Sacramento Bee* and the *San Francisco Chronicle*. The *Bee*, which along with the *Times* has the largest state capitol bureau, ran just two stories during the initiative campaign. One was an overview of the issue and the other story discussed the signature-gathering process for getting the issue on the ballot. The *Chronicle* ran just three stories, one of them an editorial endorsing the proposition, a second one a commentary article giving the views of trapping advocates, and a third story giving an overview of the issue.

In the case of Colorado, coverage of trapping stories in the *Denver Post* shows only a slight relationship to the 1996 ballot initiative (see Table 2). During the 1996-2000 period, all 10 stories that appeared in the *Post* in 1996 did reflect a wider legislative or general concern, in this case specifically related to the initiative. From 1997-2000, however, most stories returned to the familiar pattern of reflecting on issues or personal features involving the wildlife agency. During most of the 30-year period, few stories focused on trapping. The only aberration was the 1981-1985 period; a dispute arose over use of leg-hold traps to snare prairie dogs, foxes, and other animals in Denver, Boulder, and suburban

Table 2. Media Coverage of Trapping Policies in Colorado, 1976-2005

Year	Total stories	Confined to Wildlife Agency activities	Wider legislative or general concern
1976-1980	4	3	1
1981-1985	20	4	16
1986-1990	7	2	5
1991-1995	6	4	2
1996-2000	20	7	13
2001-2005	3	1	2

Source: *The Denver Post Index* [4].

communities. This resulted in interaction between the Colorado Wildlife Agency and the local communities, but no statewide legislation. Regardless, the controversy was an early precursor of the problems that would face the agency in the 1990s.

Thus, Hypothesis 1 is supported in the case of Colorado, but can only be partially supported in California since no increase in coverage is evident with respect to the initiative campaign.

Hypothesis 2) Policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly.

In California, the political committee, Protect Pets and Wildlife Vote Yes on Proposition 4, reported collecting \$1,114,833 and spending \$1,078,589 on its campaign. That is roughly double the amount spent by initiative opponents, whose campaign committee was titled, "No on 4, a Coalition of Wildlife Professionals, Veterinarians, Farmers, Ranchers and Taxpayer Groups." The coalition reported raising \$562,623 and spending \$508,658 on the 1998 campaign (Campaign reports, California Secretary of State's Office).

While it has been argued by activists, such as Lynn Sadler, executive director of the Mountain Lion Federation, a Sacramento-based public interest group [22], that a war chest of \$1 million does not buy the ability to put together a well-heeled media campaign in an expensive and far-flung state such as California, the spending discrepancy between the two campaigns is a factor in assessing the effectiveness of the campaigns. The Mountain Lion Foundation was one of the groups supporting the proposition, even though it was not part of the campaign committee.

The fact that forces backing Proposition 117 had twice the money to work with would seem to be an advantage in putting together direct mailings and hiring a paid staff to wage a professional campaign. Thus, Hypothesis 2 is supported in this campaign.

In Colorado, a less populous state with only one major media market (Denver), backers of Amendment 14 enjoyed an even more lopsided spending advantage over their opponents, though far less money was collected and spent than in California. According to reports filed with the Colorado Secretary of State's office, the political committee Colorado People Allied with Wildlife reported contributions of \$196,798 and spending \$188,057 in 1996. That left the anti-trapping committee with \$8,741 left over at year's end.

In contrast, the opponents' committee, the Colorado Wool Growers Defense Fund, reported in its December 1996 report (the last one the committee filed) that it raised \$32,074 and spent \$30,279. The fact that opponents spent only 16% of what supporters did supports the hypothesis that policy change is more likely to occur when financial resources and campaign contributions strongly challenge the policy image advanced by the policy monopoly.

Hypothesis 3) Policy change is more likely to occur when interest groups and activists challenge the policy monopoly's issue image through the introduction of bills in the legislature and in ballot initiative campaigns.

In the case of Colorado, the General Assembly has not proven to be an active forum in the trapping debate. Controlled up until 2005 by Republicans, the legislature did not offer a promising venue for change. Ranching and rural interests dominated committee chairmanships and memberships; thus, any legislation to ban certain trapping methods or allow for animal rights would meet certain legislative defeat. Thus, the hypothesis that a change in the issue monopoly's dominance followed introduction of bills in the legislature cannot be substantiated.

California offers a different picture, with legislation both before and after the 1998 ballot initiative. In 1995, then-Assembly Member Sheila Kuehl, a Democrat from Santa Monica, unsuccessfully sponsored legislation to require people who set traps for wildlife or domestic animals to contact in writing the people living within 500 feet of the trap. This legislation did not win committee approval.

In 1996, legislation requiring trappers to kill animals in their traps using humane methods passed the Senate, 23-9, but failed to win approval of the Assembly's Water, Parks and Wildlife Committee. The legislation, sponsored by Democratic Senator Milton Marks of San Francisco, died at the end of the 1996 session.

Since passage of the initiative, trapping issues have continued to face legislators in California from time to time. Most of the bills have had to do with so-called "nuisance trapping" involving destruction of crops or property. In 2002, the Legislature passed legislation sponsored by a leading environmentalist, Democratic Senator Byron Sher of Palo Alto, that clarified the right of property owners using trapping methods to kill or capture "nuisance" mammals such as coyotes,

bobcats, skunks, weasels, foxes, raccoons, beavers, badgers, and muskrats. In 2003, legislation introduced by Republican Senator Bill Morrow of Oceanside (San Diego County) to establish new protocols for trapping and identifying agricultural pests never got a committee hearing. In 2004, Democratic Senator Rudy Bermudez of Norwalk (Los Angeles County) failed to win approval of a proposal allowing those with pest control licenses to trap or take mammals without a trapping license. Opponents, led by the Animal Protection Institute of San Francisco, successfully argued the legislation was too broad by treating all mammals in a like manner. In 2006, Bermudez tried again and won legislative approval when he narrowed the list of animals that pest control officers can take without a trapping license to common household and garden rodents. Hypothesis 3, therefore, is supported with respect to California.

CONCLUSIONS

Both case studies provided evidence that the initiative is a useful vehicle in achieving a shift in policy direction. The Colorado case study, in particular, provides strong evidence that the initiative arena resulted in a sharp policy shift. In California, the trends in media coverage preceded the initiative campaign, while in Colorado media coverage peaked in the period preceding the initiative. The variables measured under the Baumgartner and Jones model help to explain what happened in both states. As expected, the sharp increase in numbers of stories in the mid-1980s, when debate over trapping became a focus of public concern in many urbanizing areas, reflected an increase in public interest in the issue. Before then, most coverage was in outdoors columns, and reflected a strong pro-trapping and agency bias. In the 1980s, the tone of stories, decidedly favorable toward policies favored by the Department of Fish and Game and California Fish and Game Commission earlier, became much more favorable toward change. This reflects the fact that supporters of policy change, such as the Humane Society and Animal Rights League, did a much better job of framing the issue in this period.

Similarly, spending by campaign committees on the initiative campaign contributed to passage, supporting Hypothesis 2. Although \$1 million in California cannot buy a comprehensive media campaign, the fact that anti-hunting forces had a more than two-to-one advantage in spending was a sizeable advantage. In the 1980s backers of new wildlife policy concerning the mountain lion trophy hunt tried to change policy extending the moratorium imposed in the 1970s.

As in California, the Colorado case study of trapping provides strong evidence that the initiative arena further weakened the power of the Colorado Wildlife Commission and the Division of Wildlife. The commission and agency already were weakened by the 1992 passage of an initiative prohibiting a spring bear hunt. Trapping interests were easy prey.

A plausible explanation, supported by analyses of the 1996 election, is that increased news coverage in the initiative campaign of 1996 reflected

long-standing public opposition to trapping. The margin of victory indicates that supporters of policy change merely had to reinforce their message that the state's Wildlife Commission was out of touch with public opinion.

In this instance, then, it appears that voters simply decided that the merits of the issue backed a major policy change from that followed by the Colorado Wildlife Commission. Unable to keep up with public opinion, the agency and commission suffered a defeat. The success of back-to-back initiatives four years apart only reinforced the image that the Division of Wildlife had lost control over wildlife policy.

Since their defeat at the ballot box, pro-trapping interests have remained active in both states. In Colorado, the Wildlife Commission's decision in July 2006 to establish a new trapping season for mink and pine marten shows that they are still an active force. In California, trapping interests challenged the initiative in the courts for years before losing their case. One month after the 1998 election, five not-for-profit organizations, led by the National Audubon Society and the National Trappers Association, sued the state, contending that continued use of leg-hold traps are necessary to protect birds from predators. Legislation on trapping continues to come before the legislature in most sessions of the California Legislature. A legal fight also occurred in Colorado in 2000, after a trapper in Pitkin County was charged with violating state trapping law. In 2001, a state appeals court upheld the constitutionality of the ballot initiative.

Nevertheless, the success of the campaigns to restrict trapping illustrates the power of the ballot initiative to serve as a tool for policy change. Legal challenges may ensue, and are perhaps inevitable, and new legislation will surface. However, the power of the initiative lies in the ability of animal rights activists to use it at the state level to achieve victories that are more likely to be dramatic than victories won at the state legislative or wildlife commission level.

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