



P. O. Box 493 • Chatfield, MN 55923

“No Crossbows in Archery Season” Talking Points

Should crossbows be legalized during archery hunting season?

1. Crossbows are not bows. Crossbows have mostly rifle-like characteristics such as a gun stock for shoulder mounted shooting, trigger safety, optical sights, locked and cocked at full draw by a mechanical device, carried loaded and ready to shoot, rigidly controlled internal ballistics, minimal movement to shooting position and can be shot from a rest. (1)

RESPONSE (North American Crossbow Federation): No crossbow manufacturer calls its product a “bow”. It is called a “crossbow”.

The Internal Revenue Service classifies crossbows, accessories attached to them, and their arrows as archery equipment subject to the archery excise tax. Crossbows account for about 10% of that tax.

A crossbow’s bow assembly, just like a vertical bow, propels or launches an arrow nocked against a rapidly forward moving string powered by a set of bent limbs. The trajectory and speed of the arrow is comparable to that of an arrow launched by a compound bow. On the end of the arrow is the same type of broadhead used by any other hunting archer. And, like a vertical bow, the crossbow’s arrow kills a deer from lung collapse and blood loss.

By the way, crossbows have been around since 300 B.C. or 400 B.C. - long before rifles- so the NABC would be more precise to say that rifles have some stock assembly characteristics common to crossbows.

2. For the purpose of qualifying for bowhunting records, the Pope and Young Club has defined a bow as a longbow, recurve bow or compound bow that is hand-held and hand-drawn, and that has no mechanical device to enable a hunter to lock the bow at full or partial draw. (2)

RESPONSE: Safari Club, Buckmasters and Boone & Crocket do recognize trophy deer taken by crossbow.

Regardless, we know of no effort by crossbow hunters or manufacturers to seek trophy recognition with P&Y. P&Y is a club and may create any definition or set any regulation it wishes for entry in its record book.

That being said, we think Webster does a better job of defining a bow: *“a weapon that is made of a strip of flexible material (as wood) with a cord connecting the two ends and holding the strip bent and that is used to propel an arrow.”* At least Webster has the good sense to describe what a bow does.

Regarding the NABC objection to a “mechanical device to enable a hunter to lock the bow at full or partial draw”, the NABC (founded at a P& Y gathering) now supports such mechanisms on compound bows for disabled hunters. We wonder when P& Y will recognize trophy animals shot by disabled archers using them.

3. Crossbows legalized for use during archery season could more than double the number of hunters participating in the archery-only deer hunt, according to studies conducted by the Ohio and Arkansas game departments (3). If your state has 400,000 licensed firearms hunters, 160,000 of them may migrate to archery season if crossbows are legalized, according to the Tonkovitch study. Over crowding of public hunting areas could result diminishing the quality of the hunting experience.

RESPONSE: For the record, the NABC has lifted data out of context from a noteworthy study done by Ohio’s chief deer biologist, Dr. Mike Tonkovich (the correct spelling by the way). They then manipulated the information to make the reader believe crossbows will double the number of archery season hunters overnight.

There is no shortage of state wildlife officials who would love to double the number of archers in their states. The precipitous decline in archery tags in many states is a matter of great concern, threatening the viability of archery as an effective management tool.

The fact is, it took Ohio over 30 years to develop an archery season that is the envy of many states. In 1976, the first year crossbows were allowed; only 27 deer were harvested by crossbows. Ohio’s season is now four months long. It enjoys more and healthier deer than ever. A hunter’s chance of success is better than ever. And, Ohio’s trophy bucks rank among the best in the country. According to Tonkovich, “Our success (in Ohio) is due in large part to the crossbow.”

The disturbing thing about this NABC talking point is that this organization actually argues against any increase in participation. They do not recognize or care that wildlife professionals outside of Ohio labor over how they are going to harvest more deer, stop the decline in the number of hunters, or recruit new hunters.

4. “Out of the Box” accuracy, requiring little or no practice, will attract firearms hunters to the early archery season equal to 40% of the licensed deer hunters in a state according to data published by Ohio and Arkansas game departments (3). Crossbows are extremely easy to master (1). Over crowding of public hunting areas will result.

RESPONSE: Again, the NABC is lifting information out of context from the Tonkovich study to create a false sense of urgency about something which is generally a highly desirable outcome.

The greatest danger to the viability of archery seasons is declining participation. As the number of archers declines, archery seasons lose their relevance as a game management tool. The logical thing to do with an irrelevant season is to shorten it or eliminate it in favor of a season capable of harvesting more deer. There are many examples of such incursions. Right now (April 2008), for example, the MI Natural Resources Commission is considering a proposal to allow firearms in one of that state’s zones for one week during archery season to thin out the doe population.

Finally, no state that permits crossbows during archery season reports or has ever reported that its season or public lands are overcrowded.

GA, AL, and VA have eliminated crossbow restrictions during their archery seasons in recent years. The increases in participation in those states have been desirable and welcome, but they are modest. Perhaps in 30 years, they, too, will boast of the kind of increases Ohio has experienced.

4a. “Survey data from the late 1990s suggest that approximately 32% and 37% of Ohio and Arkansas deer hunters, respectively, participated in their state’s crossbow season. Therefore, for modeling purposes, conservative estimates for hunter success and participation might be 20% and 40%, respectively. Participation will likely begin much lower and gradually increase to this level.” (3) (emphasis added)

RESPONSE: Is the NABC suggesting that there is something wrong with such success rates and increases in participation? What state agency would see such performance as a negative? Once again, the NABC takes an anti- hunting position. That is, it argues that expanding participation is bad.

5. In the hands of a shooter of average ability, crossbows have at least twice the effective range of a conventional bow. For typical hunters-those having firearm or handheld bow experience but who were not competitive shooters, crossbow shooters had an effective range of 64-yards compared to 26-yards for handheld bow shooters (1).

RESPONSE: R.S. Marlow, the “expert” cited in this talking point, is the author of The Marlow Report, a 1988 “study” commissioned to discredit crossbows by the Professional Bowhunters Society at a cost of \$50,000. The conclusions in the study were almost immediately discredited because they were not conducted with the controls required for a scientific study to have any validity. Furthermore, the technological advances in bows and crossbows since then make his study irrelevant.

While crossbows are easier to master than conventional vertical bows and require less practice to maintain proficiency, the conclusions cited above are laughable. The effective range of crossbows and compound bows is comparable.

6. In side-by-side tests, first-time crossbow shooters had average shot groupings that were better than top competitive handheld bow shooters. (1).

RESPONSE: Marlow is not a credible source because his methodology has long since been discredited. The claim in this talking point is profoundly false. Generally, accomplished crossbow shooters do not better the accuracy of accomplished conventional vertical bow shooters, and fact which has been verified time and again at Archery Shooters Association, National Field Archery Association, and International Bowhunters Organization events.

7. Shooting a crossbow requires no mastery of the mental or physical aspects of shooting a bow. (4)

RESPONSE: First, the NABC source for this talking point is an unavailable e-mail with no author cited. What should we conclude about that?

Second, We have already conceded that the crossbow is generally easier to master and requires less practice to maintain proficiency. But, the crossbow shooting and hunting skills required to be successful in the field are far more similar to those of a vertical bow hunter than they are different.

Proper shooting stance, breathing technique, trigger squeeze, follow-through and mental focus are required for a good shot. Crossbow hunters generally get only one shot because of the movement and noise associated with reloading. The horizontal position of the bow assembly also requires the crossbow hunter to focus on limb clearance with nearby branches or the tree itself.

And finally, the crossbow hunter must get close to the prey, control scent, remain silent and limit movement with the same stealth as a vertical bow hunter.

8. More than 70 state and provincial bowhunting organizations have signed on to a letter stating "...in order to preserve the integrity of bowhunting, it is vital that crossbows not be permitted in bow season or archery-only hunting areas." (5)

RESPONSE: The only thing this talking point shows is that an organization with an anti-hunting (anti-participation) agenda can get others to follow blindly by professing myths, manipulating information, and refusing to accept facts. They are no different than PETA.

Unlike the ATA at its annual Archery Summit, the NABC also prohibits speakers with dissenting views at its annual summit.

9. Hunting with a crossbow is not bowhunting.

RESPONSE: If you say something long enough, loud enough, and frequently enough, you will convince yourself and others who are not paying attention that it is true.

10. Bowhunting is the gold standard for the Rule of Capture (6). Bowhunters highly value self-reliance and have long supported the idea that some effort, some labor is a necessary component of the hunt. Getting close to game is difficult. One of the cornerstones of bowhunting is that the taking, the killing of game should not be easy but should take labor. It should be challenging.

RESPONSE: Maybe we should replace archery season with a rock-hurling season. Now that would be a challenge.

First, see the NACF response to talking point # 7 above. The challenge associated with crossbow hunting and vertical bow hunting is comparable. Available state harvest data also shows that crossbow hunters and vertical bow hunters have virtually identical kill rates. If crossbow hunting was less challenging you would expect a higher kill rate.

If the NABC really believed hunting should be more challenging, they would lobby states to require a shooting proficiency test as a prerequisite to acquiring a license.

Finally, there are no state regulations requiring that one type of hunting weapon be more difficult to master than another.

11. Attaining good shooting form, the primary requirement for becoming an efficient bowhunter, requires constant practice and significantly more time to maintain a significant level of competency than a crossbow. That's what bowhunting is all about – the challenge.

RESPONSE: Today, the demands of work and raising a family in an increasingly complex world make it impossible for many archers to find time to practice. The crossbow requires less practice and, therefore, offers these archers the option to continue to hunt during archery season. Likewise, crossbows allow those who do not or no longer have the physical strength to draw and hold a vertical bow the same option.

This talking point is one more example of the NABC's obsession with limiting participation in archery seasons.

12. The Archery Trade Association (ATA) believes crossbows are viable shooting and bowhunting equipment because the Internal Revenue Service makes crossbow manufacturers pay the archery excise tax. (7).

RESPONSE: Crossbow manufacturers pay federal excise archery tax because they manufacture and sell archery equipment. The ATA accepts crossbow manufacturers into the trade association for the same reason.

13. Crossbows have played no part in the evolution of bowhunting. Who can stand as an icon of crossbow hunting? Where is their Maurice Thompson, Ishi, Saxon Pope, Art Young, Glenn St. Charles, Fred Bear, Ben Pearson, W. J. "Chief" Compton? Bowhunting has a heritage, crossbows do not. Our heritage is build upon strong values of community service and conservation partnerships. (8)

RESPONSE: Like the evolution of all things, the evolution of bow hunting has not come to a halt. We are witnessing the acceptance of crossbows as part of that evolution today.

Given the quantity of game today, out of control urban deer populations, the decrease in the number of hunters, aging of the hunting population, and the difficulty in recruiting new hunters; who can say which of the visionaries listed above would fight against the acceptance of crossbows?

14. The aforementioned early bowhunters accepted the personal challenges of bowhunting big game and set extremely high standards of sportsmanship for all hunters that followed in their footsteps.

RESPONSE: We agree completely. We hope that the NABC is not inferring that crossbow hunters do not, will not, or would not emulate those high standards. They are as important and meaningful to the NACF as they appear to be to the NABC.

15. None of the bowhunters in the National Bowhunting Hall of Fame got there by hunting with a crossbow.

RESPONSE: True. It is also true that a number of living members of both the National Bowhunting Hall of Fame and the National Archery Hall of Fame currently hunt with crossbows. Also, at least a couple of manufacturers that make both vertical and crossbows are named after members of the National Archery Hall of Fame.

16. Crossbows played no part in establishing bowhunting in America. (9)

RESPONSE: To be accurate, neither did compound bows play a part in establishing bowhunting in America.

As the sport and the seasons continue to evolve, plenty of crossbow hunters will join vertical bow hunters to play instrumental roles in “establishing” a new era of improved and relevant archery seasons.

17. Crossbows don’t fit in bowseasons. There are no crossbow user groups, no clubs, and no state associations like bowhunting has built over eight decades of dedicated service to the public, satisfying their thirst for archery and bowhunting activities. (8)

RESPONSE: The NABC, especially in addresses to themselves (the source for this talking point), has a penchant for asking you to believe something is true because they say so.

Crossbows fit quite well in the archery seasons where they are permitted. There is no data available to suggest otherwise. In fact, there is plenty of data suggesting that crossbows enhance the archery seasons where they are allowed because they promote hunter recruitment and retention.

The NACF is an association of those interested in expanding crossbow opportunities. It is in the process of affiliating itself with existing state crossbow organizations and helping to form new ones. Give us a couple of years and we will demonstrate our ability to serve the public good and to grow archery and hunting as sport.

18. Research has shown that a large number of hunters will utilize crossbows only if they are legalized in archery season. Otherwise, hunters will continue to reject them and leave them behind on the junk pile of hunting gadgets. Crossbows are devoid of any following because they lack any historical foundation as a hunting weapon. (8) Their history is as a weapon of war.

RESPONSE: Credible research, such as the Kentucky Department of Fish and Wildlife Resources crossbow survey, conducted by Cornell University, and a new survey, "Assessment of New Jersey Resident Hunter Opinion on Crossbow Use", show that the majority of licensed hunters favor allowing crossbows in archery seasons. We know of no state which has conducted a scientific survey on crossbow preferences that reports results opposing crossbow use in archery seasons.

True, crossbows are popular where permitted in archery seasons. Like vertical bows, they are not popular in firearms seasons because, they cannot compete ballistically with a firearm. Historically, crossbows and longbows were used for sport, hunting, and war as far back as 300 or 400 B.C.

It is uncertain what the NABC is trying to prove with this talking point other than they are unwilling to recognize reliable research and do not have a good grasp of history.

19. Crossbows are a weapon looking for a season – a season of profit. (8)

RESPONSE: As the research noted above suggests, it is licensed hunters who are looking for a crossbow season.

On the subject of profit, the U.S. economy is based on profit, vertical bow companies are in the business of making a profit, and state wildlife departments charge license fees to make archery seasons possible.

20. Bowhunters and bowhunting organizations are long time partners of state conservation agencies, helping to promote clean, healthful outdoor activities with bow in hand and in promoting bowhunter ed and kids shooting programs.

RESPONSE: Bowhunting groups have a solid record of supporting and promoting conservation, hunter education and youth programs. However, they have a shameful record of fighting wildlife agency experts who recommend expanding accessibility to archery seasons.

21. Crossbow use in archery season is an advertising push of the crossbow manufacturers, facilitated by the Archery Trade Association and other surrogate marketing agents. No sportsmen's groups are petitioning for this legalization of crossbows, only the profiteers. (8)

RESPONSE: The fact is that the regulatory changes favoring crossbows in recent years have been initiated by either state legislatures or the state wildlife agencies, not crossbow manufacturers or the ATA.

The ATA does not lobby for or against any specific type of archery equipment. It nurtures its relationship with state wildlife directors and senior staff in an effort to grow archery and reduce barriers to growing license sales. And, it serves as an information source to state legislatures and wildlife agencies when asked.

Crossbow manufacturers' rather limited involvement in regulatory reform has been only in those states where the proposed changes first have been initiated by the legislatures or wildlife agencies. Crossbow companies have been caught by surprise more than once by announcements from some states that they have liberalized their crossbow regulations.

The truth is that neither the ATA nor the crossbow manufacturers need to initiate these efforts. As we said before, states need to harvest more deer, recruit more hunters, and retain the ones they already have.

It is false that no sportsmen's groups are petitioning for the legalization of crossbows. This year alone, at several Michigan consumer hunting shows, The NACF collected over 3,000 signatures from those who favor legalizing crossbows. Many are members of the Michigan Bowhunters. Those signatures have been given to the Michigan Natural Resources Commission.

22. Crossbow manufacturers are pushing for a "blended" bow season under false pretences. They tout fake taglines like:

- Crossbows are the same as bows
- Crossbows are easy for old people to shoot
- Crossbows are easy for kids to shoot
- Crossbows are easy for women to shoot
- Crossbows will recruit more hunters

Crossbows will kill more deer
Crossbows will provide new opportunity
Crossbows will help reduce urban deer numbers

RESPONSE: All available data suggest the following statements are fact. There is no data available to suggest otherwise.

Crossbows are ballistically comparably to vertical bows. They allow the elderly, youngsters, and women to participate in archery when they otherwise could not. They help increase archery harvests, are a good tool for urban deer management, and they provide opportunities to expand participation in archery seasons.

23. But, it's all smoke and mirrors. Crossbow manufacturers and their surrogate marketing agents are trying to "mainstream" crossbows into bow season. It's all bunk! Without a special season crossbows do not appeal to sportsmen.

RESPONSE: The impetus to include crossbows in archery seasons is coming primarily from state legislatures and wildlife agencies looking to harvest more deer, recruit more hunters, and retain existing hunters.

As the New Jersey and Kentucky surveys suggest, including crossbows in archery seasons has broad appeal. There are no credible surveys available which suggest otherwise.

24. Who are the eager, ardent crossbowmen yearning for, petitioning for a hunting season with the archers? Why haven't we heard from them? Why, because there are no crossbowmen craving a season with bowhunters. They don't exist. (8)

RESPONSE: If the "crossbowmen craving a season with bowhunters" do not exist, why does the NABC fear "over crowding of public lands" (talking points 3 &4)? This talking point substitutes one weak argument for another equally weak one which espouses the opposite point-of-view.

As the evidence we have already offered points out, there is wide support for including crossbows in archery seasons from wildlife professionals as well as licensed hunters.

25. The thousands of crossbow hunters that manufacturers say will buy the new crossbow-hunting permit are only “tick marks” on the company’s business plan. Open a new hunting season **first** and they will come. And, by the way, none of them yet own a crossbow! (8)

RESPONSE: See the NACF response to talking point #24.

26. Huge profits are the crossbow manufacturer’s motive in pushing for the legalization of their product in archery season. They, not sportsmen, want crossbows legalized in archery season. Without a special season, crossbows are just another product category.

RESPONSE: See the NACF response to talking points 21 & 23.

27. Commercial interests, like crossbow manufacturers, should not be given privilege when hunting opportunities are allocated by game agencies (10). To do so is to betray the public trust held by state natural resource authorities.

RESPONSE: We agree. No bow, crossbow, firearms, fishing equipment, trap, or other hunting related manufacturer should hold a privileged position when state wildlife agencies allocate seasons.

The NABC must recognize, however, that it would be a betrayal of trust if wildlife agencies did not address the need to harvest more deer, recruit more hunters, and retain existing hunters where those needs exist. It is a further betrayal of trust when the NABC opposes wildlife agency efforts to address those needs.

Finally, once seasons are set, it is the responsibility of manufacturers to provide the best quality equipment they can.

28. Crossbowmen are not petitioning for change.
Bowhunters are not petitioning for change.
Sportsmen are not petitioning for change.
Only crossbow manufacturers are petitioning for change and their motive is profit.

RESPONSE: The NABC keeps repeating itself. See the NACF response to talking points 17, 18, 21, & 23.

29. State game agencies should not give in to the promise of increased permit fees for their dwindling budgets just so crossbow manufacturers can make more profit. Wildlife management for profit sets a dangerous precedent.

RESPONSE: To suggest that wildlife agencies manage for profit, or allow crossbows in archery seasons so the manufacturers can make a profit is profoundly ignorant and crudely disrespectful.

Perhaps the NABC would support a movement to increase permit fees in archery season to boost the dwindling wildlife agency budgets.

30. The crossbow issue is a bowhunter's issue. Those outdoor writers, radio and TV outlets and commercial bowhunters that hold financial agreements with all of those companies who stand to profit from the inclusion of crossbows in archery season, don't have a dog in this hunt. Their motives are profit. Our motive is the protection of bowhunting as we know it today. (8)

RESPONSE: In this talking point, the NABC sounds like a group of conspiracy theorists. This point suggests there are no sound reasons for allowing crossbows in archery seasons and that the only motivation to include them, therefore, must be profit. How absurd.

The NABC's motivation, "the protection of bowhunting as we know it", is code for "we don't want any more hunters in our woods".

31. The U.S. Supreme Court held, in *Geer v. Connecticut*, that "the development of free institutions had led to the recognition of the fact that the power or control lodged in the State is to be exercised, like all other power of government, as a trust for the benefit of all people, and not as a prior or exclusive right or privilege for the advantage of the government or for the benefit of private individuals as distinguished from the public." (10)

RESPONSE: The key words in the *Greer vs Connecticut* decision cited above are, "*for the benefit of all people, and not as a prior or exclusive right or privilege for the advantage of the government or for the benefit of private individuals as distinguished from the public*".

When state wildlife agencies choose to include crossbows in archery seasons, they are expanding opportunity "*for all people*". When the NABC opposes such efforts, they are "*seeking the benefit of private individuals as distinguished from the public*".

32. There must be a line drawn on what constitutes a primitive weapon in a primitive weapon season. Crossbows cross that line in the bowhunting season just like fully automatic rifles and night vision scopes cross the line in general rifle season.

RESPONSE: Forget that the NABC's "fully automatic rifle and night vision scope" analogy is a laughable exaggeration.

The history of regulatory change in hunting seasons is and always should be evolving. The quality and quantity of the resource changes. Innovations in weaponry are continuous. The demographics of the hunting population evolve as well.

To ignore these evolutionary shifts would be foolish. Regulatory change occurs and generally for the good.

33. There is no technical impediment to producing 500 pound-pull crossbows today that would be vastly more efficient than at present. Crossbow designs have advanced significantly in the past few years but they're still not as potent as many historical designs (1).

RESPONSE: The impediment to 500-pound crossbows is the state agency that regulates them. Many states have draw weight and other equipment regulations which insure lethality and set standards for equipment conformity.

34. The most fundamental difference between crossbows and conventional bows is that most modern crossbows are now drawn with a winch and braced with a rigid stock. These two factors alone are why all types of conventional bows made have pretty well reached their design/performance limits, and why crossbows are already capable of a vastly different level of performance.

RESPONSE: The 1988 Marlow Report argued that compound bows shooting 200fps had reached their speed limit because they had to be drawn and held by hand. Innovations in compound bows since then have made them more user friendly, faster, and quieter. Who is to say what the limits are in product design?

Crossbow cocking mechanisms, originally developed for physically challenged archers, are readily available and are increasingly used by able bodied hunters because of their convenience. It is still common, however, for modern crossbows to be cocked by hand.

Modern crossbows are ballistically comparable to modern compound bows. It is not true that they are "capable of a vastly different level of performance".

35. "The organizational representatives at the Bowhunting Summit were unanimous in their opposition to crossbows being allowed in bow seasons. The position taken is that crossbows are not bows and therefore they should not be allowed in bowhunting only seasons except where the states already have exemptions for qualified physical disabilities. The NABC will not stand in the way of present laws/regulations that allow disabled archers the use of crossbows in archery season" (11). Except for use by the truly physically challenged, crossbows should not be allowed for use in bow seasons.

RESPONSE: It is clear that a crossbow is not more like a gun than a bow. The ballistic similarities between vertical bows and crossbows make them comparable as weapons. The ballistic performance of rifles and crossbows is so dissimilar that only a fool would argue that they are comparable.

While the NABC is on record that they will not “*stand in the way of present regulations that allow disabled archers the use of crossbows*”, they do oppose those regulations when they are proposed elsewhere. When it is clear that their opposition will not succeed, their backup position is to attempt to complicate the permit issue process and to make the definition of a qualifying disability overly restrictive.

“No Crossbows in Archery Season” Talking Points References

The following references were cited in responding to the following question:

Should crossbows be legalized during archery hunting season?

1. Marlow, Roy S. “Timeless Bow hunting – the Art, the Science & the Spirit”, Strikepoint Technologies, 2003.
2. Pope and Young Club, “Crossbow Policy Statement,” Pope and Young Club Newsletter, Winter 2006.
3. Tonkovitch & Cartwright. “Evaluation of the use of crossbows for deer hunting in Ohio and Arkansas”, First National Bowhunting Proceedings, St. Louis, 2002.
4. Kentucky Report (e-mail), “Analysis of the Crossbow Issue”, July-August, 2005.
5. 1st Bowhunting Summit-Letter. August 2005. “To Whom It May Concern”, News Release re: Springfield.
6. Baumeister, Thomas and Tom Dickerson. “Who Calls the Shots?” IHEA Journal, Winter 2006.
7. McAnnich, Jay. “ATA Position Statement about Crossbows”, Chatfield Version, August 2005.
8. Ballard, Dennis. “Address to the Pope and Young Convention”, Lancaster, PA, April 2007.
9. Ballard, Dennis. “Address to the Chatfield NABC Conference”, Chatfield, MN, August 2005.
10. Posewitz, Jim. “Inherit the Hunt”, Falcon Publishing, 1999.
11. NABC Action Letter. “Policy on Crossbows for the Disabled”, 11-02-05.

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