



USE OF RIFLES FUELS TURMOIL OVER DEER CONTROL EFFORT SOME AMHERST OFFICIALS SAY TO STOP USING HIGH-POWERED WEAPON.(LOCAL).*The Buffalo News (Buffalo, NY)* (Feb 12, 2005): pD1. (567 words)

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Byline: Thomas J. Dolan - NEWS NORTHTOWNS BUREAU

The bullet that ricocheted and struck a home on San Fernando Lane in East Amherst came from a police rifle, not a shotgun, police confirmed Friday.

Amherst Police Chief John J. Moslow says his officers recently were using the rifle to shoot deer under the town's bait-and-shoot program.

The state Department of Environmental Conservation had issued a deer permit allowing the use of "centerfire" rifles, he said.

Other hunters must follow different rules. Because of safety issues, hunting with "centerfire" or larger caliber rifles is prohibited in Western New York and other areas outside of the Adirondacks and the Catskill Mountains, state officials say.

Rifle rounds can travel up to a mile or more and still cause injury or damage, while shotguns usually have a range of about several hundred yards.

Still, Moslow said, police were not being unsafe.

"It's not a safety issue if the weapon is in the proper hands," he said, adding that the officers involved in the deer control program have trained with the rifles and are members of the department's emergency response team.

Two Town Board Members, nevertheless, said they want the rifle hunting to stop.

"I don't think that the board knew that they were using rifles," said Council Member Daniel J. Ward, an opponent of the bait-and-shoot program. "Even if they use shotguns, I didn't want it. . . . I'm putting together a resolution that permanently terminates the program."

Council Member William L. Kindel, who supports lethal methods to control deer, also said he hopes police "would consider going to shotguns."

Kindel also said police should "consider moving the shooting area much farther from homes."

"You can't stop the project. If a mistake was made, we've got to correct it and go on. There are too many lives at stake," he said.

Supporters of the program point out that Amherst had 511 deer-vehicle accidents last year and even more the year before. At the same time, estimates of the town's deer herd start at about 800 and go up.

But regardless of the number of deer, San Fernando Lane residents said police should not be shooting in residential areas.

"They should not have been anywhere this close to a house," said a woman who lives in the house struck by the bullet. She agreed to an interview on the condition that her name and address not be published.

"When it happens, your instinctive reaction is to be outraged. We felt that at the time and still do," she said.

According to Moslow, police marksmen in the program also shoot from tree stands, helping to minimize the risk of stray bullets.

"No way would I have permitted rifles to be used if the officer was on the ground," Moslow said. "He's shooting down from tree stand."

Police are investigating the incident, which occurred at about 10:30 a.m. Feb. 4 in woods off North French Road. A round fired by an officer ricocheted after striking a deer and continued on, breaking a second-floor window and lodging in an inside wall of the San Fernando Lane home.

Ward says he respects Moslow and his officers, "But this is what happens with high-powered rifles."

And even though he sees nothing wrong with shooting deer, Amherst is too populous, he said.

"Something is going to happen. You know it's going to happen," he said.

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