

Staff Presentation: Trapping in Colorado

Trapping Laws and Overview of 30-day Trapping Notification System



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Furbearer Statutes, Regulations and Investigations

Colorado History on Trapping Laws and Regulations

- Amendment 14 (1996) banned most traditional methods of trapping:
 - Outlawed leghold traps, instant-kill body gripping traps, snares and poisons for recreational and commercial purposes
 - Allowed for one 30-day Trapping Permit annually per parcel for damage to livestock or crops
 - Allows for trapping for human health and safety
 - Non-lethal trapping for scientific research



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Furbearer Statutes, Regulations and Investigations - Part 2

C.R.S. 33-6-203. General prohibition - penalties.

(1) Except as otherwise provided in this part 2, it is unlawful to take wildlife with any leghold trap, any instant kill body-gripping design trap, or by poison or snare in the state of Colorado. Penalties shall be as provided in section 33-6-109 unless a different penalty is specifically provided in this part 2. (Furbearers \$50/first animal, \$25/every additional animal per CRS 33-6-109)

(2) Except as otherwise provided in this part 2, any person who attempts to take wildlife using any leghold trap, instant kill body-gripping design trap, poison, or snare commits a petty offense and, upon conviction thereof, shall be punished by a fine of forty dollars and is assessed four license suspension points.



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Furbearer Statutes, Regulations and Investigations - Part 3

C.R.S. 33-6-107(9):

For the purposes of this section, any person, any member of such person's family, or any employee of the person may hunt, trap, or take black-billed magpies, common crows, starlings, English or house sparrows, common pigeons, coyotes, bobcats, red foxes, raccoons, jackrabbits, badgers, marmots, prairie dogs, pocket gophers, Richardson's ground squirrels, rock squirrels, thirteen-lined ground squirrels, porcupines, crayfish, tiger salamanders, muskrats, beavers, exotic wildlife, and common snapping turtles on lands owned or leased by the person without securing licenses to do so, but only when such wildlife is causing damage to crops, real or personal property, or livestock.



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Furbearer Statutes, Regulations and Investigations - Part 4

Colorado Department of Agriculture

C.R.S. 35-40-101. Powers and duties of the commissioner - rules - agreements.

(1) It is the duty of the commissioner to control depredating animals within the state of Colorado to reduce economic losses to agricultural products or resources, except as otherwise set forth in subsection (4) of this section. The commissioner has exclusive jurisdiction, as described in this article, over the control of depredating animals.

(2) The commissioner may take such steps as are necessary to carry out this part 1, including:

- (a) Adopting rules for the control of depredating animals, in consultation with the parks and wildlife commission;
- (b) Establishing lethal and nonlethal methods of controlling depredating animals;
- (c) Allowing state employees and owners of agricultural products or resources and their families, employees, agents, and identified designees to control depredating animals. Any bears or mountain lions taken by identified designees shall remain the property of the state. The license requirements of section 33-6-107 (9), C.R.S., shall not apply to this article; except that the identified designee shall possess a small game or furbearer license.
- (d) Allowing nonlethal methods or preventive activities such as the use of guard dogs and scaring devices.



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Furbearer Statutes, Regulations and Investigations - Part 5

Dispatch Methods

Effectively, furbearers may be trapped alive, using cage or box traps, and must be released or dispatched using allowable methods of take (**PWC Reg #303(E)**):

- Any Rifle or Handgun
- Any Shotgun
- Handheld bows or crossbows
- Any Air Gun (must be .25 caliber or larger for coyotes and bobcats)

Trap Check Frequency

- Cage or Box Traps must be visually inspected at least once every day (**PWC Reg #302(B)(2)**)



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Furbearer Statutes, Regulations and Investigations - Part 6

PWC Reg #303(E)(5) If local ordinances or public safety prohibit all legal methods of take from being used, American Veterinary Medical Association Guidelines for Euthanasia of Free-Ranging Wildlife, as provided in S7.6 of the 2013 edition of the AVMA Guidelines for Euthanasia of Animals, may alternatively be used to the extent allowable by law.

When might it be acceptable to use these alternatives?

- Proximity to homes, buildings, highways, within city limits or where firearms restrictions are in play
- Rehab facilities, wildlife brought to CPW offices



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Furbearer Statutes, Regulations and Investigations - Part 7

ENFORCEMENT AND INVESTIGATIONS

1. CPW officers are bound by the US Constitution and Colorado Law
 - 4th Amendment protections are paramount (protections against unreasonable search and seizure)
1. Investigations take time, resources, and occasionally a stroke of luck
2. Guilty verdicts require evidence and proof that are “beyond a reasonable doubt”
3. Ultimately, the District Attorney has the authority to charge criminal violations



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Furbearer Statutes, Regulations and Investigations - Part 8

How do CPW Criminal Investigations Progress?

1. Potential violations are reported or discovered (through patrol)
 - Reports through dispatch, offices, OGT, Officer contacts
1. Investigation into potential violations, evidence collection, suspect identification
2. Determination of charges (if any)
3. Presentation of Charges (through a citation or to the DA)

How would this look for a trapping investigation?



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Furbearer Statutes, Regulations and Investigations - Part 9

CPW Charges and Warnings from 2021- present

Citation	Charge	Number
CRS 33-6-203(1)	Unlawful take of wildlife with a leghold trap, body gripping trap, poison or snare	33
CRS 33-6-203(2)	Unlawful attempted take of wildlife with a leghold trap, body gripping trap, poison or snare	49
2 CCR 406-3-#303-E	DID UNLAWFULLY TAKE A FURBEARER	7
2 CCR 406-3-#302-B.2	DID UNLAWFULLY FAIL TO VISUALLY CHECK ALL TRAPS AND SNARES AT LEAST ONCE EVERY DAY	17
2 CCR 406-3-#303-A.2.a	UNLAWFULLY FAIL TO RELEASE OR KILL WILDLIFE UPON CHECKING TRAP	2
CRS 18-9-202(1.5)(a)	CRUELTY TO ANIMALS	1
CRS 18-9-202(1.5)(b)	AGGRAVATED CRUELTY TO ANIMALS	0



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30-day Trapping Exemption

1996 Ballot Language:

Amendment 14-Prohibited Methods Of Taking Wildlife

Shall there be an **amendment to the Colorado Constitution** concerning prohibited methods of taking wildlife, and, in connection therewith, prohibiting the use of leghold traps, instant kill body-gripping design traps, poisons, or snares; providing an exception for the use of such methods by certain governmental entities for the purpose of protecting human health or safety or managing fish or other non-mammalian wildlife; providing an exception for the use of such methods to control birds or to control rodents other than beaver and muskrat, as otherwise authorized by law; **providing an exception for the use of such methods on private property, under certain conditions, to reduce damage to crops or livestock;** providing an exception for the use of certain non-lethal snares, traps, or nets to take wildlife for purposes of scientific research, falconry, relocation, or medical treatment under rules of the Colorado Wildlife Commission; providing that the measure shall not apply to the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as authorized by law; incorporating the current statutory definitions of the terms "taking" and "wildlife"; and requiring the general assembly to enact implementing legislation by May 1, 1997?



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30-day Trapping Exemption - Part 2

Amendment 14 was codified in the Colorado Constitution and implemented through Part 2 of Title 33 Article 6. Key tenets include:

- Division **verification** that reasonable efforts to alleviate ongoing damage to livestock or crops through reasonable efforts...The use of at least two the following methods is presumed to represent reasonable efforts:
 - Routine gathering of livestock in areas where predators are known to be present;
 - The use of guard animals;
 - The use of flashing lights, boom guns, or other scare tactics
 - The presence of human herders or guards;
 - Any other industry-accepted method that is effective in reducing losses and whose use is approved by the agricultural commission and the parks and wildlife commission for that purpose.



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30-day Trapping Exemption - Part 3

- An owner or lessee seeking to use the exemption stated in section 33-6-207 shall **notify** the division by telephone, telefacsimile, or first-class mail before the beginning of each period during which trapping, snaring, or poisoning activity is to take place. Within ten days after giving such notice, the owner or lessee shall provide the division with a written certification that there exists on-site evidence of ongoing damage to livestock or crops and that the owner or lessee has made reasonable efforts to alleviate such damage by the use of alternative methods.
- The owner or lessee **need not present on-site evidence of damage or of reasonable efforts using alternative methods before commencing trapping, snaring, or poisoning activity**, but the owner or lessee shall be prepared to do so upon request of the division at any time within the thirty-day period. The division **may, at its option**, send an employee or agent to visit the site and verify compliance with the requirements of this section and of section 33-6-207.



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30-day Trapping Exemption Process History

- Upon adoption of Amendment 14, the Division implemented a permit system to satisfy the previously identified requirements. The permit process was never used to regulate whether or not producers were allowed to trap—this right was granted to producers via Amendment 14
- This process included the completion of a paper permit, in quintuplicate, and routing of copies within the Division, agencies, landowner and trapper.
- In April of 2025, a review of this process was conducted focused on three items:
 - Opportunities for efficiency, data collection, storage and technological advancements
 - Clearly meeting the requirements of 33-6-208
 - Ensuring the responsibilities regarding the implementation of the exemption, as it pertains to the incidental take of State and Federally protected species, was clear to those exercising this provision
- In February of 2026 a new process for notification and verification was implemented.



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30-day Trapping Exemption - Current Process

The current process:

- Automatically verifies the start date and term of trapping exemption
- Checks for data completeness, and only then issues a receipt that the notification was received
- Verifies the use of two or more methods to alleviate ongoing damage through attestation
- References 33-6-207, 33-6-208, and 2 CCR 406-3 to ensure understanding of the requirements under 30-day Trapping for agricultural damage
- Prevents completion of the notification and verification without complete and accurate information
- Issues response to notifier again highlighting statutes and regulations, and highlights risks and responsibilities related to incidental take
- Division staff immediately made aware of completed notifications



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30-day Trapping Exemption - Current Process - Part 2



30-Day Trapping Notification

(C.R.S. 33-6-207 Exemption - landowners' protection of crops and livestock)

Please fill out this form to notify Colorado Parks and Wildlife of your intent to conduct a 30-day trapping event on private land for the protection of crops or livestock, pursuant to C.R.S. 33-6-207 & 33-6-208, and subject to the terms outlined here: [2 CCR 406-3](#). Separate notification forms should be completed for each parcel you intend to trap.

raymond.aberle@state.co.us [Switch account](#)

* Indicates required question

Notification to Colorado Parks and Wildlife of Intent to 30-Day Trap

Under [C.R.S. 33-6-207](#) & [C.R.S. 33-6-208](#)

Which of the following methods were used to alleviate ongoing damage to livestock or crops prior to this notification? (at least two boxes must be checked):

[C.R.S. 33-6-208\(1\)\(b\)](#)

☒ Routine gathering livestock in areas where predators are known to be present.

☒ The use of guard animals.

☐ The use of flashing lights, boom guns, or other scare tactics.

☐ The presence of human herders or guards.

☐ 1-OTHER industry-accepted method (please describe in next question).

☐ 2-OTHER industry-accepted method (please describe in next question).

Species Causing Damage (select all the apply) *

*If selecting "other," please record species name(s)

NOTE: 30-day Trapping Exemptions are pursuant to [C.R.S. 33-6-207](#) & [C.R.S. 33-6-208](#), and subject to the terms outlined here: [2 CCR 406-3](#).

☒ Badger

☐ Beaver

☐ Bobcat

☐ Coyote

☐ Fox

☐ Raccoon

☐ Skunk

☐ Other: _____

Attestation--Please review submission for accuracy and check boxes *

below, as required under statute:

[C.R.S. 33-6-207](#) & [C.R.S. 33-6-208](#)

☐ I attest to the existence of on-site evidence of ongoing damage to livestock or crops.

☐ I attest that I have made reasonable efforts to alleviate ongoing damage to livestock or crops using methods other than those prohibited by section 33-6-203.

☐ I attest that the information provided in this form is true to the best of my knowledge.



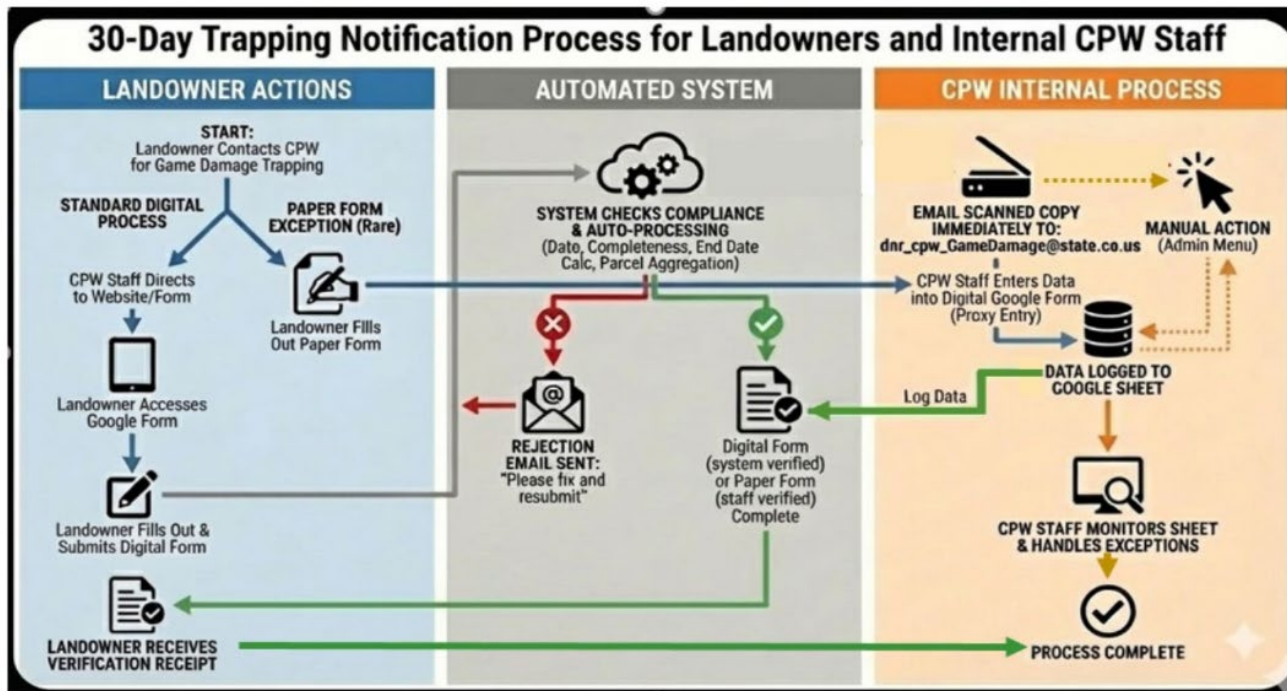
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30-day Trapping Exemption - Current Process - Part 3

FLOW CHART OVERVIEW



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30-day Trapping Exemption - Current Process - Part 4

- Notification and verification are stored in a central database for ease of query for compliance
- 70 complete notifications since process implementation
- The annual average, over the past several years of notifications, has been 118, 30-day trapping events
- Many of these are not unique to an individual, they are unique to a parcel where that individual is exercising this exemption



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30-day Trapping Exemption - Summary

- The Division is meeting its statutory obligations
- Sale of leg-hold traps and snares in Colorado were not banned by Amendment 14
- The current process addresses concerns raised by members of the public while also balancing the constitutional language and exemptions for agricultural producers under the 30-day Trapping Exemption
- Division staff *do* monitor and pursue violations of Amendment 14 and the 30-day Trapping Exemption
- Not everything that matters can be measured, ie. Routine conversations and engagements at a person to person level between Division staff and those undertaking the 30-day Trapping Exemption



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