



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 19, 2026

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: Veto of Erie County Local Law 3-1 of 2026

Dear Honorable Members:

Erie County Local Law 3-1-2026, entitled "*A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult*" was adopted by your Honorable Body on April 30, 2026, and presented to me for approval. A public hearing regarding this Local Law was duly held on May 13, 2026.

Pursuant to Erie County Charter Section 205, I hereby Disapprove and Veto Local Law Intro. No. 3-1-2026.

Hunting is a longstanding and valued tradition in Erie County and throughout New York State. Many residents participate in hunting safely and responsibly, often as part of family traditions, conservation efforts, and a lifelong appreciation for the outdoors. Erie County also remains one of the most active hunting counties in New York State, issuing hundreds of thousands of hunting licenses in recent years, including a substantial number for hunting involving firearms and crossbows.

At the same time, firearms and crossbows are tools that require sustained judgment, focus, and discipline. Like any dangerous tool, they carry the possibility of catastrophic harm when misused or when concentration is lost, even momentarily. Local Law 3-1-2026 would authorize children as young as twelve and thirteen years of age to hunt deer using rifles, shotguns, muzzle-loading firearms, and crossbows under adult supervision. While supervision and hunter education are important safeguards, the County also has an obligation to carefully consider the heightened risks associated with expanding access to these weapons among youth hunters.

The available evidence demonstrates that the risk associated with unintentional firearm injury among youth is not theoretical. In a peer-reviewed study examining unintentional firearm

deaths in the United States from 2005 to 2015, Solnick and Hemenway (2019) found that older children and adolescents between the ages of 10 and 19 represented one of the groups at highest risk for unintentional firearm death. The authors further noted that hunting-related activity constitutes a meaningful proportion of unintentional firearm deaths across multiple age groups and that incidents involving big-game hunting were particularly common among individuals between the ages of 10 and 59.¹

The study found that 14.7% of the reported unintentional firearm deaths in the United States from 2005-2015 involved hunters aged 10-19, with 6.5% of those cases coming from big game hunting. In fact, the study stated that “[f]or ages 10 to 59, the hunts leading to unintentional firearm deaths are more likely to be for big game, such as deer or moose, than for small game, such as rabbits, ducks, or squirrels.”

National hunting incident data similarly reflects the continuing risks associated with firearm hunting activity. According to The International Hunter Education Association (IHEA) – USA, a professional hunter education association affiliated with the Association of Fish and Wildlife Agencies and the fish and hunter education programs across all fifty (50) states, there have been four hundred and sixty-nine (469) incidents involving a shooting resulting in injury or death while engaged in hunting activity in the United States from 2021-2025.²

Forty-seven (47) of those four hundred and sixty-nine (469) incidents from 2021-2025, over 10% of the total, were reported from New York. Of the forty-seven (47) incidents, IHEA found that there were thirty-eight (38) incidents involving a “shooting while engaged in legal hunting activity” in New York, with four fatalities. IHEA found that there were an additional 9 incidents involving a “shooting while engaged in illegal hunting activity” with one fatality.

Among those incidents were recent cases involving a thirteen-year-old who shot and injured a member of their hunting party and a fourteen-year-old who unintentionally injured themselves while hunting. Both incidents occurred within the past two years, with the incident involving the fourteen-year-old child occurring directly south of Erie County in the adjoining County, Chautauqua County, New York, on November 19, 2025.

To be clear, the incidents contained within the data reviewed by IHEA are not constrained only to those with minimum experience or young age; from 2021 to 2025, IHEA found incidents involving hunters ranging from thirteen (13) years of age to eighty-eight (88), with zero to decades worth of experience. Age nor experience eliminates the possible risk of losing focus or maintaining shooting discipline required when using these tools.

There is no question that New York State benefits from dedicated hunter education instructors and responsible adult hunters who work diligently to promote safe hunting practices. Hunter education remains an important component of responsible firearm use. However,

¹ Solnick, S.J., Hemenway, D. Unintentional firearm deaths in the United States 2005–2015. *Inj. Epidemiol.* 6, 42 (2019). <https://doi.org/10.1186/s40621-019-0220-0>

² <https://incidents.ihea-usa.org/>

completion of hunter education requirements does not eliminate the possibility of lapses in judgment, attention, or firearm discipline. This concern is further heightened where portions of required hunter education may be completed through abbreviated online instructional formats rather than traditional in-person instruction.

New York State Department of Environmental Conservation (NYSDEC) offers an in-person course that lasts a “[m]inimum of 7 hours”, allowing hands on, trainer to student learning for prospective hunters.³ However, NYSDEC also allows prospective hunters to certify completion of an on-line course in satisfaction of the hunting course training requirement. Of the three approved online safety courses, each promotes a learning period shorter than that of the in-person hunting course.^{4,5} Some specifically promote a learning period that is half as long as the in-person course length.⁶

There is ample research which demonstrates that even where the Course materials and subject matter are the same, students who learn solely from an on-line course, like those offered in satisfaction of the hunting education course, do not retain the information to the same degree as those that learn in an in-person environment.

In a 2022 study, *“Asynchronous Online Instruction Leads to Learning Gaps When Compared to a Flipped Classroom”*, by Jensen, J., Smith, C.M., Bowers, R. *et al.*, published in the Journal of Science Education and Technology, researchers compared the outcomes of an in person student group and an online only student group, with the same curriculum and framework. The study found that in the “baseline model (i.e., asynchronous), online students consistently perform lower than in-person flipped classroom students suggesting that online environments where no synchronous interaction occurs are less effective at fostering learning”⁷ (Emphasis added).

Moreover, even when a hunter has completed the requirements and has been certified for their hunting license, that education does not eliminate the possible risk of losing focus or maintaining shooting discipline required when using these tools. According to available IHEA data, almost, if not all, of the hunters involved in incidents reported, had undergone the necessary hunter’s education training required by NYSDEC.

It is undisputable that firearms are tools that require continuous discipline and maximal focus to utilize properly and to minimize the risk of harm to oneself or others. It is a high burden to require a child of twelve or thirteen years of age to maintain such discipline and focus, and based on the data available, it is the children aged 10 to 19 who are most likely to be harmed through unintentional firearm incidents and deaths.

³ <https://dec.ny.gov/things-to-do/hunting/hunter-education/courses-certifications>

⁴ <https://www.ilearntohunt.com/newyork/>

⁵ <https://recademics.com/hunting/new-york/>

⁶ <https://www.hunter-ed.com/newyork/>

⁷ Jensen, J., Smith, C.M., Bowers, R. *et al.* *Asynchronous Online Instruction Leads to Learning Gaps When Compared to a Flipped Classroom*. *J Sci Educ Technol* 31, 718–729 (2022). <https://doi.org/10.1007/s10956-022-09988-7>

Executive Poloncarz Veto Message to Legislature

May 19, 2026

Page 4 of 4

The data is underscored by the continuing instances of hunting incidents involving young hunters across the Country. Since 2020, we have seen examples of firearm deaths while hunting that include a 14-year-old who was hunting with his brother in Arkansas, a 9-year-old hunting with his father in Nebraska, an 11-year-old who was shot and killed by his stepfather while hunting in Michigan, and a 9-year-old who was shot and killed by his father on Thanksgiving in South Carolina. These tragedies continue to occur, as evidenced by a hunting incident in 2024, in South Carolina, where a 13-year-old lost his life after he was shot by another youth hunter.

The issue presented by this legislation is therefore not whether hunting is a valued tradition, nor whether many hunters act responsibly and safely. They do, and that tradition deserves respect. Rather, the question before the County is whether Erie County should affirmatively authorize children ages twelve and thirteen to participate in deer hunting with firearms and crossbows *despite* the documented risks associated with unintentional firearm injury among youth and the continued occurrence of hunting-related shooting incidents even amongst those with decades of experience.

As county executive, I receive all fatality reports for the accidental or intentional death of child in Erie County. During my tenure as county executive, I have read hundreds of these reports, including multiple reports related to a shooting. Each report is gut-wrenching, knowing that a young, vibrant child's life was taken, often in a circumstance that was wholly preventable. It is, I am convinced, nothing compared to the pain felt by a parent who has lost a child.

The risk of injury or death is amplified where the burden asked of youth hunters is to be maximally disciplined and focused past what may be possible for them. In those instances, the possibility of harm is too great, and the cost of tragedy is too high to ignore. Based on the information demonstrated across the country and compiled by hunting groups themselves, I cannot agree to the passage of the bill with such a high possible cost.

No parent should have to live with the loss of a child knowing that their death could have been prevented. No parent should have to live with the loss of a child, knowing that we could have prevented such a tragedy by refusing to pass this bill.

As such, for the reasons stated above, I hereby Disapprove and Veto Local Law 3-1-2026.

Sincerely yours,



Mark C. Poloncarz, Esq.
Erie County Executive