

HB2341 Facts & KDWP&T Claims

- KDWP&T Law Enforcement was on our farm August 2009.
Since the 2009 I have asked KDWP&T multiple times for assistance in catching road hunters and trespassers but have received none.
- 1-29-2012 The poacher admitted to a KDWP&T officer that he shot the deer on our land.
- KDWP&T officer Lynn Koch called me 2-1-2012 to inform me that the deer was poached on our land and the poacher had admitted to the crime, therefore I asked for a salvage tag for the antlers the same day, 2-1-2012.
- The KDWP&T criminal report to Osage County Court has me listed as the victim & the only victim. The *Osage County Chronical* published a story of the poaching on 2-16-2012 and it had me listed as the only victim, as provided by KDWP&T Officer Lynn Koch. No one stated differently.
- I was subpoenaed to appear in Osage County Court as the victim & the only victim.
- The poacher pled guilty to poaching the deer on our land, during the Osage County Court proceedings. No representative from KDWP&T was ever present to dispute the charges or victims guilty plea.
- I testified in front of the court as the son of the landowner & the land manager.
I was the only victim subpoenaed to give testimony.
- During the court proceedings, the poacher and his lawyer said they wanted the landowner "Tim Nedeau" to have the antlers since he shot it on our land. Letter provided by District Attorney Brandon Jones.
- The poacher was ordered to pay me restitution for killing the deer on our land, since I have signs posted that our land is leased, and I am the son of the landowner and her land manager.
Therefore, I was paid for an illegal hunt or lease violation, NOT for the poached deer.
- The crime of criminal hunting occurred on our land.
According to state statute 32-1013 since I have our property posted with purple paint & "Hunting by Written Permission Only" therefore while wildlife is on our property we have exclusive hunting rights to it. Not even KDWP&T can hunt our property, even though they claim ownership of all wildlife within Kansas.
According to statute 32-1013 it is not illegal to cross property lines and retrieve killed wildlife.

The poacher was charged with 8 crimes, all of which were committed on our land.
No other landowner had a crime committed on their property.
In the 6/12/2015 St Joseph's paper, KDWP&T Secretary Robin Jennison stated that there were more crimes committed on the land south of our property. Why weren't these crimes listed in any of the Osage County Court documents? What crimes were they?
- In 2015 Secretary Jennison said he was going to give me the antlers but I am not the landowner, as quoted in the Topeka Capitol Journal. Lois Shuck, my mother has been contacted by KDWP&T about landownership and she has stated to KDWP&T that she owns the land, but I am her son & land manager. The last contact was by KDWP&T Law Enforcement Officer Lynn Koch on 7-2-2014 who secretly videoed the conservation, but KDWP&T has told us a record of the meeting may not exist.

By KDWP&T admission, they have already gotten rid of the antlers from 10 years ago, and sold over 300 sets at the September 19th 2015 auction. So now there is only 1 set of antlers left.

Reasons the KDWP&T has given why they won't give the antlers to the landowner where the deer was admitted in court to have poached.

- They "own" all the wildlife in Kansas. NO they Regulate & Market
- Can only possess wildlife if you reduce it through methods prescribed by KDWP&T (legal tag) 10,000 deer are given away each year through "Salvage Tags" including the 51 point 300 inch deer!
- It will be used as educational purposes. How? Penalties are the same for all deer!
- The new law will privatize the wildlife. How? False Statement by KDWP&T
- Landowners will become liable for damages on roadways & airports. False Statement by KDWP&T
- The new law will violate the North American Model of Wildlife Conservation. How?

Returning the antlers to the landowner does not go against the North American "Model" of Wildlife Conservation since the landowner did not violate any hunting laws. This is not law, or bill of rights
I do however question if KDWP&T's actions violate part of the model.
Such as: Marketing wildlife for profit, selling wildlife parts for profit
the public can help create laws for the good of all.

- The deer was not killed on our land. Guilty plea in Osage County Court documents prove otherwise!
- I am not the landowner. Through a variety of meetings and letters the KDWP&T knew my mother was the landowner and that I am her son, land manager, and her representative in this case.

KDWP&T also stated that I do not qualify for a landowner tenant / manager game tag. This statement was printed in the *Topeka Capital Journal* also. I strongly feel this is harassment / libel by KDWP&T

1. In the 2015 House Committee meeting Secretary Jennison stated that he went to the location where the deer was admitted to have been poached in 2011, and he reconstructed the crime 3 years after the guilty plea and found the court ruling to be wrong. He stated the driver was headed east, he fired out of his driver's side window to his left, (northward) but the bullet went to the South!

How is it possible for the Secretary of KDWP&T to re-create the crime and change KDWP&T Law Enforcement Officer Lynn Koch's criminal report, a guilty plea and statement of the poacher, and the court ruling of guilty, 3 years after the case had ended?

2. As an appointed position to the executive branch of the Kansas state government, is Secretary Jennison violating the "Separation of Powers" clause of the Constitution by doing the job of the judicial branch? Furthermore, is reporting his findings to the Kansas Legislature in order to stop a bill he personally doesn't like a form of perjury?

Was KDWP&T Law Enforcement Officer Lynn Koch reprimanded for doing a poor job of investigating a guilty plea and writing such a poor report to the Osage County Court? No he was given the Director's award.

3. Antler Auction: During the June 18th KDWP&T Commission meeting held in Hays, KS Legal Counsel Chris Tymeson stated that HB2341 the “Antler Bill” still had another year cycle in the Kansas legislature. **Commission President Gerald Lauber then asks if they could give the antlers away, and stated they don’t want to make a profit from them. Secretary Jennison then states that he and Colonel Kevin Jones had decided to sell the antlers at the next KDWP&T auction 9/19/2015.** Again this is after the legal council’s report of the antlers still being in another year of the legislative cycle. **KDWP&T Commission President Gerald Lauber also stated that he did not want a “self-anointed individual” to benefit from the antlers!** These statements are provided on the flash drive.

Why did the 3 top officials of KDWP&T at the Hays Commission meeting decide to sell the antlers immediately after being informed they were still under the control of the state legislature?

Why didn’t Attorney Chris Tymeson question the legality of the auction since they still had another year of legislation control?

4. Governor’s office was advised it was illegal to give the deer mount away. How? Who advised him?

5. The bill SB357 was not retroactive. Since Representative Corbet’s 2013 letter they knew it wasn’t.

- Secretary Jennison has also stated that other people had the same deer on camera, or it was seen by others. Does this mean everyone who had wildlife on camera has a claim to it when someone bags it, when one is found dead on private property, or hit by vehicles?

By KDWP&T admission, they have likely already gotten rid of the antlers from 10 years ago, and sold over 300 sets at the September 19th 2015 auction. So now there is only 1 set of antlers left.

In closing, I make this plea and statement. With the evidence presented before you, I feel this event is a perfect example detailing the misuse of the power and authority granted to the Kansas Department of Wildlife Parks and Tourism, and why this bill needs to be passed into law without delay.

When a landowner can provide evidence that the Kansas Department of Wildlife Parks and Tourism had ignored three years of requests for assistance in catching illegal hunters, brought forth court documents of a guilty plea to a crime committed on their land, provided a written statement by a County District Attorney in good standing within the state of Kansas, and has shown evidence that KDWP&T has used questionable tactics in order to retain a set of antlers, I can come to only one conclusion. Out of greed and now spite, the KDWP&T will not offer big deer antlers to the landowner. Instead, they send the antlers to out of state taxidermists to be mounted and paid for with tax payer’s money, only to have those mounts placed in someone’s office for them to enjoy. During the past three years I have traveled extensively across Kansas, and visited many KDWP&T Regional Headquarters and other state park offices, and even the State Capitol. All of these buildings and offices have one thing in common. They do NOT have small antlered deer mounts hanging on their walls. **This one deer poaching event demonstrates the lengths that the KDWP&T will go to in order to keep large antlers for their own office walls, and why this behavior needs to be stopped!**

I never wanted to be a precedence, but this role has been thrust upon me due to the actions of KDWP&T. **HB2341 is about more than one set of deer antlers. Rather it is centered on creating precedence and changing the behavior of the KDWP&T when dealing with the public.** Therefore, the time has come to protect the nearly three million Kansas citizens and landowners, and stop this abuse of power by the KDWP&T.

I ask that you vote yes for both amendments to this bill. Sequence the bill, and require the KDWP&T to offer poached wildlife taken from private property to the landowner first. If the landowner does not want the item, they can allow the KDWP&T to dispose of it through other means.

However, the choice should be that of the landowner where the crime occurred. They have already been the victim once. Don’t let them be victimized a second time by the Kansas Department of Wildlife Parks and Tourism.

David Kent sentenced for poaching potential state-record whitetail.



David Kent has been sentenced for poaching this 14 point buck in Osage County last fall. If legally taken, the deer could have been a new state record. Thursday morning a Topeka man was sentenced for illegally killing an exceptionally large whitetail buck in Osage County in November, 2011.

Brandon Jones, Osage County attorney, said David Kent agreed to plead guilty to four of eight original charges, including criminal hunting, hunting outside of legal hours, illegal hunting during a closed season and using an illegal caliber while hunting big game.

Jones said Osage County magistrate judge Taylor Wine sentenced Kent to 30 days in jail, which can be served as 15 consecutive weekends and \$1,500 in fines. Kent was also ordered to forfeit the deer's antlers and the gun used in the crime to the Kansas Department of Wildlife, Parks and Tourism.

In an unusual move, Wine ordered Kent to pay \$8,000 in restitution to the landowner, Tim Nedeau, where the buck was poached.

Kent also had his hunting privileges revoked for five years and faces a six month jail term if he doesn't comply with all of his sentencing requirements.

The case has received a lot of attention because the deer Kent poached was probably large enough to top a state-record set for gun-killed whitetail bucks with typical antlers that was set back in 1974. Kent's poached 14-pointer was scored at 198 7/8 typical inches on the Boone and Crockett measuring system at a Topeka's Monster Buck Classic in January. Kent claimed to have shot the deer in Nemaha County around Dec. 1, while legally hunting during the state's firearms deer season.

At the show, a bowhunter produced an earlier trail camera that had the buck in Osage County, about 100 miles south of where Kent said he killed it. Law enforcement officials say Kent admitted to illegally killing the deer when interviewed at the hunting show.

The case also drew attention because Kent was at the scene of one of Kansas' most notorious poaching-related crimes in 2007. That's when Thomas Kent, David Kent's brother, fired a high-powered rifle bullet from a vehicle and into what he thought was a flock of geese in a Lyon County field. Instead, they were decoys and the shot killed 18-year-old Beau Arndt, who was hiding in the decoys while hunting with friends.

Thomas Kent served more than two years in prison for the killing. David Kent was with his brother when Arndt was killed, but was not charged in that case.

- **By Michael Pearce**
- Published by The Wichita Eagle
- Posted Aug. 30, 2012, at 3:09 p.m.

So we all understand what KDWP&T is saying!

1. David Kent admitted to KDWP&T Law Enforcement Officers at the Monster Buck Classic in 2012 that he killed the deer illegally in Osage County, and to the location where he killed it. The same KDWP&T Law Enforcement Officer called and told me Kent admitted to killing the deer on our land, therefore, since our land is posted "Hunting with Written Permission Only" more charges were added against the poacher and I was listed as the victim in the criminal report and the court case.
2. The same law enforcement officer turned in his criminal report to the Osage County Court system for prosecution, and his report had me listed as the only victim.
3. The Kent pled guilty in Osage County Court to killing the deer on our land and was sentenced by a judge in good standing within the state of Kansas. Through his attorney, the poacher told the judge that since he shot the deer on our land he felt the landowners / victim Tim Nedeau should retain the antlers.
4. The poacher was ordered to pay me restitution for killing the buck on our land, because he violated the hunting lease which we have posted on our property. This is the Criminal Hunting aspect.
5. However: The Magic Bullet Theory! KDWP&T Secretary Robin Jennison re-investigated the crime in 2015, which is 3 years after the case ended with a guilty plea, and he came up with a new theory. He told the House Committee of Agriculture & Natural Resources that Kent fired his gun to the north, but the bullet really went to the south? Printed in St. Joseph paper also. He then told this made up story, which goes against the court record of a guilty plea, to the Kansas Legislation for the purpose of stopping a bill that he personally doesn't like.

Let's think for a moment!

Does Secretary Jennison have a criminal justice, or a crime scene investigation degree?
How can he overturn the court document of a guilty plea from the poacher who committed the crime?
Is this a violation of the Separation of Powers Clause in the Constitution, or is it perjury?

To my knowledge the KDWP&T has never advertised their auctions in the past. However, the KDWP&T has advertised this auction extensively in order to keep "a self-anointed individual" from being granted the antlers. Is this an antler auction or antler dump? If the antlers still had another year of legislative action, was it legal to sell the antlers?

Since the KDWP&T sold over 300 sets of antlers, are they KDWP&T marketing the wildlife of Kansas? Does this violate the North American Wildlife Conservation Model?

What depths will KDWP&T go to, in order to keep a deer that was poached on our private property?

Kansas Game Wardens Recognized for Exemplary Efforts



PRATT – The Kansas Department of Wildlife, Parks and Tourism (KDWP) law enforcement division recently presented several game wardens with awards for their outstanding efforts both on and off the field in 2014. The following officers were recognized for their exemplary efforts:

The **Award of Merit** was presented to **Hal Kaina** and **Greg Salisbury**. Kaina received the award for his investigation work in developing information leading to the arrest of an individual involved in the theft of copper wire from agricultural irrigation systems. Salisbury received the award for his actions relating to a house fire in rural Ottawa County.

Matt Hanvey and **Jason Harrold** were presented with the **Richard Harrold Memorial Award for Investigations**. Hanvey and Harrold were recognized for their investigation of a multi-year case involving four individuals from Mississippi. All four violators were charged and arrested on several charges, including multiple counts of taking deer, some classified as trophy animals, without licenses or permits.

The **Boating Officer of the Year Award** was presented to **Kurt Hudson** for his efforts in advancing boating safety across the state by participating in a variety of training and educational programs, special enforcement efforts aimed at reducing impaired operation of watercraft, and going above and beyond to acquire advanced training.

Josh DeHoux was presented with the **Live Saving Award**. DeHoux, who witnessed a vehicle accident on I-35 in the Kansas City area, stopped and helped perform CPR on one of the victims. Although the victim did not survive, DeHoux is recognized for his efforts to save the life of another person.

Jeff Goeckler, **Lance Hockett** and **Jesse Gehrt** were also presented with the **Live Saving Award** for their efforts in saving a hunter shot with a 20 gauge shotgun. Through their direct action and working in coordination with local EMS personnel, the victim survived the injury.

The **Award of Valor** was presented to **Owen Johnson**. Johnson, while on patrol, was involved in a vehicle accident. Although sustaining serious injuries himself, including a triple fracture to his fifth neck vertebrae, a fractured eye socket, broken nose, three fractured ribs and multiple contusions of the head, Johnson still managed to notify emergency services and rendered aid to the other victims of the accident until emergency services arrived on the scene.

The **Director's Award** was presented to **Lt. Bob Funke, Brad Hageman, Jeff Cakin, Lynn Koch, Jon Entwistle, Mike Hopper, Scott Leamon, Ben Womelsdorf and K-9 Libby, and Investigator Jason Hawman** for their work in the investigation and prosecution of eight individuals who were charged with 48 violations. The charges included four counts of felony commercialization of wildlife as well as charges for the possession of stolen property. Officers from the Department's Public Lands Section, Parks Division, U.S. Army Corps of Engineers and the Osage County Sheriff's Officer were also involved in the investigation.

Dave Adams was presented with the **Officer of the Year Award**. Adams, who was recently the lead officer in the investigation of eight individuals violating numerous wildlife and criminal laws, was recognized for his dedication to the mission of conservation law enforcement. Apart from his law enforcement duties, Adams is also involved in hunter education, boating safety, and the Archery in the Schools Program.

For more information on the KDWP Law Enforcement division, including requirements for becoming a game warden, visit ksoutdoors.com/Services/Law-Enforcement.

According to KDWP&T Secretary Robin Jennison, Officer Lynn Koch wrote such a bad criminal report that he had to go back to the crime scene and rework the case. In doing so he came up with the fact **that the poacher who admitted to the crime, and plead guilty in court really didn't do the crime that he plead guilty to.** Jennison stated "the poacher while he was driving east, fired to his left from his driver's side window, but the bullet really went to the south"????? Please take a moment and think about Secretary Jennison's statement. Bullets travel in straight lines.

Officer Scott Leamon is the officer who I called for three years and tried to get KDWP&T assistance in catching road hunters. Officer Leamon failed to return 3 years of my phone calls!



Antlers to Be Auctioned in Kansas
Tourism (KDWPT)

Kansas Department of Wildlife, Parks and

Pratt, KS -(AmmoLand.com)- Wilson Realty and Auction Service of Salina will conduct a consignment auction on September 19 to sell items forfeited by the courts to the [Kansas Department of Wildlife, Parks and Tourism \(KDWPT\)](#).

The auction will take place at 601 South Broadway, Salina, beginning at 10 a.m. KDWPT regularly sells items forfeited in poaching cases or agency equipment no longer in use through public auctions.

Items to be sold on September 19 include 46 guns, **more than 300 mounted deer heads and antlers**, boats, jet skis, deer stands, decoys, as well as other equipment from non-department sellers. A sale bill can be downloaded at www.soldbywilson.com.

KDWPT's proceeds will be deposited into the department's Wild Trust fund and allocated to assist with special hunts for veterans and youth and hunter education.



This was the front cover of the September 15th edition of the *Grass and Grain*. The story was also on television news stories in Wichita and Salina. I read information about the auction in a number of states including North Carolina.

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Poachers' loss becomes outdoorsmen's gain

June 18, 2018 KDWP&T Commission meeting.
President Gerald Lauber didn't want HB2341 to benefit a "self-anointed individual."

Discussed earlier that each bill not passed still had another year of legislative cycle, and HB2341 was still active.

SEPTEMBER 17, 2015

Mount of notable poached buck pulled from fund-raising auction



Michael Pearce

One of the most notorious sets of antlers in the history of Kansas poaching has been pulled from an auction in Salina on Saturday.

Robin Jennison, Kansas Department of Wildlife, Parks and Tourism secretary, said Gov. Sam Brownback requested the mount of a buck poached in Osage County in 2011 be removed from the sale because of “legislative concerns.”

In 2012 David Kent, of Topeka, plead guilty to poaching the buck that scores more than 197 typical Boone and Crockett points, meaning it is within about an inch of the current state record which has stood since 1974.

The mount was scheduled to be one of more than 300 antlers or mounts confiscated by the department, mostly in poaching cases, by Wilson Auction, in Salina.

For an [article that ran previously](#), Kevin Jones, Wildlife and Parks law enforcement chief, said money from the consignment auction would be put into a fund and used to help pay for events for youth and veterans.

In the past, confiscated antlers had been sold and the money went back to Wildlife and Parks law enforcement. In many states, illegally-taken antlers are destroyed or cut up and given away for things like scout projects or to make chew toys for pets.

As well as because of its size, this particular rack has spent a lot of time in the public eye since Kent tried to pass the antlers off as legally killed so he could win a big deer contest in Topeka in 2012. A bowhunter in attendance stepped forth with trail camera photos of the buck, alive, close 100 miles from where Kent claimed to have killed the animal.

Tim Nedeau, son of a landowner near where the poached buck died, has lobbied for the antlers since shortly after Kent's initial confession. Nedeau contends the antlers of poached animals should be given to the landowner where the animal was poached. Jennison said state law says such animal parts belong to the state of Kansas. Nedeau has had some support in the state legislature the last several years.

Mike, you are a good writer and I do enjoy reading most of your articles, but this is another example of how I feel you write what KDWP&T and Robin Jennison wants you to write. I know you wrote this story in a brief manner and perhaps I am over sensitive to this issue, but I feel you left some important information out. Perhaps on purpose!

You wrote that Kent plead guilty, but you failed to report that he plead guilty to killing the deer on our land. You also stated that I contend, that poached animals should be given to the landowner, but again you failed to report that Kent admitted to the crime and plead guilty in court to killing the deer on our land. Why? I wish that you or anyone from KDWP&T would have shown up at any of the trial dates so you could have witnessed the true facts of the case. It angers me to listen to Gerald Lauber, the other commissioners, along with KDWP&T law enforcement officers rant about the courts not doing their jobs by punishing the criminals strictly enough. If they feel that strongly about it they should go to the trials and speak up. They should contact the District Attorney of each county and explain how important it is to discourage poaching thru stiffer penalties. With my "Antler Bill" I have stood up for the Kansas landowner, and Tim Donges getting the Antler Restitution Bill passed helps KDWP&T, but it's time the KDWP&T quit whining and stand up for themselves.

*The new bill that I pushed for states the KDWP&T has to "offer" the poached wildlife to the landowner first, not give. Remember the landowner can refuse the wildlife and allow the KDWP&T to do with it as they will. This new law is intended to protect the landowner from their own government agency. That is the purpose of the Constitution! This new law is for every citizen of Kansas who owns land, not just "one self-anointed individual" as Gerald Lauber calls me. Or is he too myopic in that all he sees are dollar signs for KDWP&T when they confiscate antlers for their next auction? Why don't you write an article about how the "Antler Bill" protects the Kansas citizen?

You also chose to use a title of a "fund-raising auction" and detailed money will be used for kids and veterans. Not the usual KDWP&T keep the funds. Will every dollar raised at the auction go to these special hunts, or will they use it for themselves? Many of the mounts came out of KDWP&T offices. Therefore, they lost their wall decoration that the Kansas taxpayer paid to have mounted. Another good story idea for you to write about!

You again stated that in the past KDWP&T has used money raised for their department, & that some states destroy them. Why didn't you tell the whole truth and admit that some states give them to the victim of the poaching crime, and that this is the new law and policy the KDWP&T will be fulfilling?

Perhaps you could write an article of how even though Attorney Chris Tymeson stated during the June KDWP&T Commission meeting that any bill not passed in 2015 was still active through the 2016 legislative session. Therefore the "antler bill" was still active and perhaps it was illegal for Secretary Jennison & Colonel Jones to sell them. You might also want to write about how Jennison reinvestigating the poaching crime in 2015 was unconstitutional since he works for the executive branch, and he overturned a court ruling from 2012. Therefore doing the job of the judicial branch. Furthermore, did he commit perjury when he knowingly told his made up story to both the House & the Senate members. Might just make for interesting reading!

32-703 State ownership of wildlife. The **ownership of and title to all wildlife**, both resident and migratory, in the state, not held by private ownerships, legally acquired, shall be, and are hereby declared to be in the state.

32-1013 Taking wildlife without permission on land posted "by written permission only"; penalties. (a) Any landowner or person in lawful possession of any land may post such land with signs stating that hunting, trapping or fishing on such land shall be by written permission only. **It is unlawful for any person to take wildlife on land which is posted as provided in this subsection**, without having in the person's possession the written permission of the owner or person in lawful possession thereof.

(b) Instead of posting land as provided in subsection (a), any landowner or person in lawful possession of any land may post such land by **placing identifying purple paint** marks on trees or posts around the area to be posted. Each paint mark shall be a vertical line of at least eight inches in length and the bottom of the mark shall be no less than three feet nor more than five feet high. Such paint marks shall be readily visible to any person approaching the land. Land posted as provided in this subsection shall be considered to be posted by written permission only as provided in subsection (a).

(c) **A person licensed to hunt or furharvest who is following or pursuing a wounded animal on land as provided in this section posted without written permission of the landowner or person in lawful possession thereof shall not be in violation of this section while in such pursuit**, except that the provisions of this subsection shall not authorize a person to remain on such land if instructed to leave by the owner or person in lawful possession of the land. Any person who fails to leave such land when instructed is subject to the provisions of subsection (b) of K.S.A. 2012 Supp. 21-5810, and amendments thereto.

32-1051 Law enforcement officers' duties. (a) It shall be the duty of all conservation officers and deputy conservation officers of the wildlife, parks and tourism conservation service and all law enforcement officers authorized to enforce the laws of this state **to diligently inquire into and prosecute all violations of the wildlife, parks and tourism laws of this state and rules and regulations of the secretary. Any such officers having knowledge or notice of any such violation shall forthwith make complaint before a court of competent jurisdiction and venue.** No such officer making complaint shall be liable for costs unless it is found by the court or jury that the complaint was filed for malicious purposes and without probable cause.

32-807: Powers of secretary. The secretary shall have the power to:

(f) **purchase, lease, accept gifts or grants of or otherwise acquire in the name of the state such water, water rights, easements, facilities, equipment, moneys and other real and personal property, and interests therein, including any property abandoned on department lands and waters, and maintain, improve, extend, consolidate, exchange and dispose of such property, as the secretary deems appropriate to carry out the intent and purposes of the wildlife and parks laws of this state;**

In August 2014 the KDWP&T sold 93 "lots" of deer antlers at public auction, but over 300 in 2015.

Since the KDWP&T sold all of their excess antlers and mounts at the September 19th, 2015 auction, HB2341 no longer needs to be retroactive for 10 years. We are now dealing with only 1 remaining deer mount.

Deer in the headlights: Lawmakers grapple over resolution to disputed antlers

Legislation in response to fight between family and state agency passes the House

Posted: March 28, 2015 - 4:07pm



CHRIS NEAL/THE CAPITAL-JOURNAL

Lt. Jason Sawyers with the Kansas Department of Wildlife, Parks and Tourism points out the nearly flawless antlers of a deer that was poached in 2011 in Osage County.

By [Jonathan Shorman](#)

jonathan.shorman@cjonline.com

It's a big rack with a big story.

When the House passed a bill this past week that would require state government to give landowners the animal parts of wildlife illegally poached on their land, lawmakers spoke of ending an ongoing saga.

The saga in question: Tim Nedeau's quest to take ownership of antlers from a 14-point deer that he says was illegally shot on his land in Osage County in 2011. The Department of Wildlife, Parks and Tourism possesses the rack, potentially worth thousands, and has declined to turn it over.

An ongoing battle between Nedeau's family and the state agency drives the legislative push. Nedeau insists his disagreement with the department isn't personal.

The fight centers on whether Nedeau would even qualify to take possession of the antlers — and whether the Legislature will pass a law based on what the state believes are false assumptions about one incident.

Despite Nedeau's claim to the antlers, the agency contends he doesn't own the land the deer was poached from.

"It is only speculation that that deer was shot on Mr. Nedeau's ground," department secretary Robin Jennison said in an interview.

The hunt for the deer

On Nov. 11, 2011, David Kent shot a deer.

The Topekan left his home that day to get firewood. Driving into the country, he stopped near the intersection of 133rd Street and Wanamaker Road, south of Topeka. As he was driving east on 133rd past the intersection, he saw four or five deer.

One of the deer was within headlight distance to Kent's left. He stopped, grabbed his 9mm Glock, and fired two shots.

The deer ran, eventually falling about 50 or 60 feet from his vehicle, he said. Kent ran up to it and decapitated it with a knife.

He covered the head with a blanket in the back of his truck and drove off.

That narrative came from Kent himself in a statement to the wildlife department. His account of what happened would eventually become key to the tussle between Nedeau and the agency over the deer.

Lynn Koch, a natural resources officer with the department, responded later that day to a call about the deer. At the scene, Koch found the headless deer in a cornfield about 75 yards south of 133rd, according to an agency report.

In late January 2012, the department seized the antlers during an event at the Kansas Expocentre. Kent was caught a day later.

A wildlife department officer called Nedeau on Feb. 1, 2012, Nedeau said. A poacher had admitted to killing the new state record deer on his property, the officer told him. That is when Nedeau says he began trying to get the state to issue him a salvage tag for the deer.

Nedeau provided written testimony in February this year to the House Agriculture and Natural Resources Committee in support of the legislation that would apparently give him the rack. Along with the statement, he provided a number of related emails and letters.

In the statement to lawmakers, Nedeau said he spoke to the wildlife department secretary in March 2012 about the situation. The visit ultimately proved fruitless, however.

That summer, the Osage County Attorney's Office prosecuted Kent for poaching the deer. A letter to Nedeau informing him of a sentencing hearing in the case listed him as a victim of the crime.

A restitution order from Osage District Court also ordered Kent to pay \$8,000 to Nedeau. And, according to Osage County Attorney Brandon Jones, during Kent's sentencing, Kent requested through his counsel that the state release the antlers to Nedeau.

"I saw the deer alive when it was on our farm. The deer was admitted in court to be killed on our land," Nedeau said in an interview.

Emails provided by Nedeau to lawmakers show him emailing the office of Gov. Sam Brownback in November 2013. In an email to Shawn Cowing, Brownback's constituent services and operations manager, Nedeau asked about the location of the antlers.

Cowing responded that he would get in touch with a response, but a week later Nedeau had grown frustrated.

"Disappointment is not a strong enough word to describe how I feel towards my state government at this moment. It has been 8 days since you would have received my request/demand for the location of the deer mount that was poached off our land in November 2011," Nedeau wrote. "I am sure that you forwarded my request as soon as you received it. However, with the technology of email and cell phones of today's world, my conspiracy theorist thoughts have begun to ask why it is taking so long and makes me wonder what the state agency has to hide."

According to a subsequent email, the antlers were in an evidence locker in Topeka, but had been with a taxidermist earlier in the year, who had performed the work pro bono.

'This is not Russia'

Nedeau's hunt for the antlers reached lawmakers a few months later.

The Legislature passed Senate Bill 357 during the 2014 session. The bill required the state to give landowners the first chance to claim animal parts when the animal had been taken from their land illegally. But the legislation wasn't retroactive and would apply only to future situations.

Nedeau, who supported the 2014 bill, told lawmakers this year that at the time he believed the state would do the right thing and give him the antlers. He also said he didn't seek retroactivity in 2014 out of respect for the wildlife department.

"I was afraid there would be hundreds of people who would approach (the wildlife department) asking for the return of antlers and other items, or the monetary value of items confiscated from their land since November 2011," Nedeau said in testimony.

Both the House and Senate approved the bill with overwhelming majorities and Brownback signed it in May. Soon after, Nedeau's state representative — Rep. Ken Corbet, R-Topeka — wrote to Brownback.

"It is my belief that when a trespasser illegally poaches a deer, the landowner should have a right to that deer. The landowner has already been harmed by having a trespass committed against him and losing the ability to later legally hunt for the deer. They should not be further punished by having the antlers taken away. Going forward, SB 357 ensures this will not happen. Unfortunately this does not help Mr. Nedeau," Corbet wrote.

Not only did the plea to Brownback to release the deer not work, the situation also escalated.

In an interview, Jennison said that after the Legislature passed the 2014 bill in the spring, he began investigating the Nedeau situation. **He said he had the intention of giving Nedeau the antlers after doing his due diligence.**

Instead, Jennison discovered Nedeau didn't actually own the land.

On Sept. 10, Jennison wrote Nedeau. According to Jennison, Nedeau may not be qualified for the landowner/tenant deer permit he purchased earlier in the year. Since hunting season hadn't started, Jennison offered to refund the cost of the permit if Nedeau agreed he wasn't qualified.

Five days later, a reply was sent to Jennison. It was from Nedeau's mother.

Lois Shuck said she was the owner of the property at the corner of 133rd and Wanamaker where Kent shot the deer. Her son, Nedeau, had been representing her in all legal matters pertaining to her property. Nedeau also managed the land, she said, and the property would become his upon her death.

Lynn Koch, the officer who had first responded to the report of the headless deer in 2011, visited Shuck in early July, she wrote. He questioned Shuck about her farming operation, land manager and hunting rights and lease agreements.

"After reading the letter you sent to Tim Nedeau dated September 10, 2014, I now wonder if Officer Koch's report was truthful as to my answers to his questions and also if some of the more recent harassment toward my son, Tim Nedeau, is due to Officer Koch's report, or if the (wildlife department) under your leadership just wishes to continue to harass Tim," Shuck wrote.

The next day, Nedeau met Christopher Tymeson, the department's chief legal counsel, and shared his mother's letter. On Sept. 19, Tymeson wrote to Nedeau to tell him the department stood by its original stance that he wasn't qualified for the permit.

But Jennison hadn't only found that Nedeau didn't own the land, but also that the property owned by Shuck is north of 133rd Street, not south where the deer died and was decapitated by Kent.

Shuck's position in the letter is that the deer was on her property when it was shot, based on Kent's statement that the deer he shot after driving east was on his left. Nedeau said on Friday hunters who shoot an animal on one property that moves to another are typically able to cross property lines to retrieve it.

He also said that for years before the 2011 incident, he had been trying to get the wildlife department to combat the problem of poaching in the area, but they hadn't offered help.

"Oh my God, now they want to be involved. Now, that's not treating the citizens, the taxpayers fairly," Nedeau said.

The wildlife department doesn't deserve to benefit from the antlers, he said, and it shouldn't be able to eventually sell the rack and use the money.

After the September exchange of letters, Nedeau tried anew to present his case to the governor's office. He emailed Landon Fulmer, then-chief of staff for Brownback, and special assistant Chuck Knapp.

"It's my understanding the Governor has been advised it would be illegal for him to give the antlers away as they are considered State property," Knapp wrote in reply to one inquiry.

On Nov. 18, Corbet sent an exasperated email to Knapp.

"the LAST person to hold or control those antlers is the 'STATE OF KANSAS'.....this is not RUSSIA and remember the (wildlife department) had every right to make there (sic) case in the Osage Co. court system...and said nothing....this is my final plea to correct a mistake and ask the Governor to pardon the antlers to Mr. Tim Nedeau," Corbet wrote.

Legislation advances

A new bill was introduced in the House in February. This time, the department would be required to turn over animal parts and the requirement would also be retroactive.

Jennison believes even this year's bill may not actually require the department to turn over the antlers to Nedeau.

"All the facts indicate that the deer would go to the property south but there is speculation based in part on Mr. Kent's statement that the deer was on the north side of the road when he was shot," Jennison said.

Nedeau said that should he get antlers, he has no intention of selling them. The legislation could potentially apply to other situations as well, he said.

"I don't want this to seem like it's a personal bill. This bill is meant to protect the 98 percent of private landowners," Nedeau said, referencing a statistic that 98 percent of Kansas land is owned privately.

Although the House Agricultural and Natural Resource Committee held a hearing on the bill, it was taken away from the committee and sent to the House Appropriations Committee before being shuffled to the House Judiciary Committee, where it was approved and sent to the floor.

The House debated the bill Tuesday and passed it Wednesday, 82-43. It now heads to the Senate.

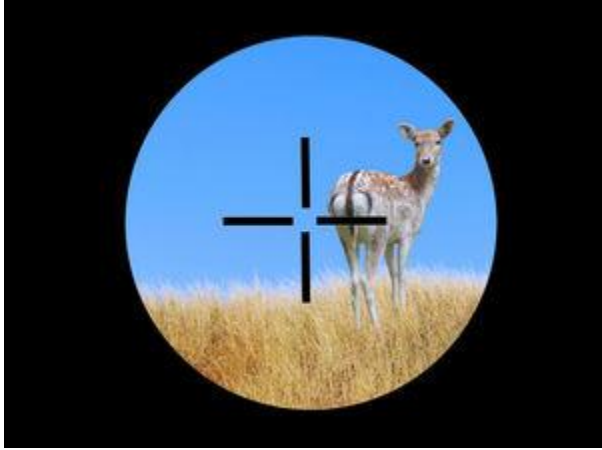
"So I ask you today, help me side with the farmer, landowner," Corbet said on the floor. "Let's do something right."

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St. Joseph's MO Article

Poaching of record whitetail fuels Kansas legislation

Comments (3)



St. Joseph News-Press
Gunsight

Posted: Friday, June 12, 2015 11:30 pm

By Margaret Slayton St. Joseph News-Press

A poaching incident of a record whitetail deer in Kansas is at the center of legislation drafted to alter the laws on ownership of wildlife in the state.

The deer in question is a record 14-point buck, that could be sold for thousands of dollars, and was reported to be poached on private property in Osage County in 2011.

In 2012, Kansas resident David Kent admitted in court to shooting the deer from his car using a spotlight, decapitating the head and abandoning the meat in a cornfield. He agreed to plead guilty to four of eight original charges including hunting outside of legal hours and using an illegal caliber firearm.

An officer from the Kansas Department of Wildlife, Parks and Tourism had notified Tim Nedeau, son of landowner Lois Shuck, that the antlers had been located. Nedeau then asked for ownership of the antlers.

Osage County Judge Taylor Wine sentenced Kent to 30 days in jail and \$1,500 in fines. Wine also ordered Kent to pay \$8,000 in restitution to Nedeau for trespassing and ordered Kent to forfeit the antlers to the Kansas Department of Wildlife, Parks and Tourism.

Nedeau said he had posted signs on his land that say he charges \$4,000 per day per hunter in a lease. He said, however, he does not own a hunting preserve and only placed the signs to deter trespassing.

"He (Kent) had to pay two days of an illegal hunting lease because he never got a lease from us to hunt so the judge made him pay two days of violating our lease," said Nedeau.

Nedeau said he approached Robin Jennison, Kansas Department of Wildlife Secretary, and asked for the antlers to be released to him. After Jennison refused, Nedeau said he contacted legislators with the goal of retrieving the antlers.

Jennison said at the time he was contacted by Nedeau for the antlers, it was illegal for the agency to hand over the set.

In response, a bill was passed by the Kansas legislature last year that stated that poached wildlife must first be offered to the landowner before the state agency can keep them. However, the antlers in Nedeau's case remained with the state agency under the previous process.

Nedeau said the deer was shot on his property according to Kent, but died on his neighbor's land. He said the antlers should be kept by him because under state law, if wildlife crosses property boundaries after being shot and dies, the hunter has the right to collect the deer. He also said he has contacted the state agency since 2009 about poaching concerns on his property that were not addressed.

"I had KDWPT on our farm in 2009 begging them to help set-up deer decoys to catch road hunters," said Nedeau. "I called them every year in the spring and the fall for turkey and deer both. That was in 2009, 2010 and 2011. I wanted them to come out and I gave them permission to set-up turkey decoys and not one time did I ever receive a phone call back from wildlife and parks."

Jennison said the passage of the law draws into question the North American Model of Wildlife Conservation which serves as the foundation of conservation management. Under the model that was upheld by the U.S. Supreme Court in 1842, wildlife is not owned by landowners or by government officials. Instead, wildlife is held in public trust and belongs to all people. He said even though wildlife agencies do not own the wildlife, they do have the authority to create laws regulating species.

Jennison said it is only after wildlife is harvested through legal means that the hunter gains ownership of the animal.

He said this model outlines why neither landowners nor wildlife agencies are liable for damage caused by wildlife in cases such as car collisions. In turn, it outlaws poaching because the act prevented all hunters from having the opportunity to legally harvest and possess the deer.

"You can pursue wounded game on someone else's property, but that is if you shoot it legally," said Jennison. "This wasn't shot legally."

In addition, he said the property is legally owned by Lois Shuck and the deer had been seen on at least two other properties.

"It was another neighbor up there that had the trail cam pictures on his property that showed the deer," said Jennison.

He said the department reconstructed the crime scene and only have evidence that the deer was found south of Nedeau's property.

"More violations were committed to the property south of where Nedeau was," said Jennison. "We opted not to do anything because there had to be a clear determination of where that deer was shot given there's no disagreement among landowners. Well, the landowners to the south don't feel like there should be a bill passed, but they feel like if a bill is passed that says the landowner gets the deer, that they were certainly the ones that should have had it."

During this legislative session, another bill was introduced that required the wildlife agency to give all poached wildlife to the landowner. In addition, it included a retroactivity clause that would require the agency to give all wildlife parts they've collected from poaching cases since 2009 to the landowner.

"Those are cases that have long since been adjudicated," said Jennison. "If somebody had been guilty, we likely have already gotten rid of any of those animal parts."

The Senate defeated the legislation with a 11-25 vote last week.

The state-record antlers are currently being held in evidence storage with the Kansas Department of Wildlife.

Margaret Slayton can be reached at npsports@newspressnow.com.



New Kansas State Record Whitetail Tops 300 Inches

October 21, 2013 by Gordon Whittington & Mike Charowhas |

While every [Boone & Crockett buck](#) is a special trophy, the loftiest benchmark—300 net inches—is so rare as to seem unreal. Only a handful of wild non-typicals have been certified at that score. As featured with exclusive coverage in our October issue, Indiana just joined B&C's unofficial "300 Club," thanks to the [305 7/8-inch giant Tim Beck](#) shot there last gun season. That brings the number of states with a legitimate 300-incher to their credit to five. In addition to Indiana, Ohio, Illinois, Missouri and Iowa have hit that mark, each with a single deer. Conspicuously absent from this list is Kansas. The Sunflower State is legendary for its non-typicals, and rightly so. But officially, the state record is the 280 4/8-incher rifleman Joseph Waters shot back in 1987.

As huge as that buck is, the giant shown here is even bigger. Much bigger. In fact, based on the [net entry score of 312 1/8](#), as calculated in early September by veteran measurer Dave Boland, this palmed beast finally pushes Kansas into B&C's unofficial "300 Club." At that score, this is potentially the [No. 3 non-typical in whitetail history](#). What's more, [Dave came up with 51 points of an inch or more in length, making this the world's first-ever true "50-pointer."](#)



[A Kansas Department of Wildlife & Parks law enforcement officer provided Jim with what's referred to as a "salvage" tag. This tag allowed him to legally obtain and keep the incredible rack.](#)

OCTOBER 3, 2014

A Kansas cold case is solved: Deer hunter finds trophy buck he shot two years ago

Two years ago Dust Smart, hunting near Emporia, Kan., stuck a huge buck but never located the carcass. But this summer the skull and antlers were found and reunited with the hunter.



Dusty Smart displayed the giant buck he shot two years ago but didn't find until a week ago. Submitted photo

BY BRENT FRAZEE
The Kansas City Star

Just about the time that Dusty Smart had given up hope that he would ever locate a trophy buck he shot, he located the brute.

Two years later.

Smart's story started in 2012 when he was bow hunting on a friend's farm near Emporia, Kan. He had seen trail-cam photos of the huge whitetail every day for two weeks during the rut, and he knew the buck was following nine does that were using a trail.

Smart set up a tree stand not far from the trail, and he was ready to use his bow to take the big boy.

"It was the day before the gun season was going to open, so I knew this was last chance," said Smart, 37, who lives in Emporia. "I knew gun hunters were going to be on that land, and there was a chance they were going to shoot him."

The does showed up on schedule that evening, and so did the buck. Everything was going as planned until the buck suddenly sensed something out of place.

"I know he couldn't see me," Smart said. "And the wind was in the right condition, so he probably couldn't have smelled me either.

"But he knew something was wrong."

Smart waited for the perfect shot, but finally settled for one when the buck was 45 yards away. The buck jumped when Smart released the arrow, but it still hit the target.

The deer ran off across a cut corn field, and Smart waited before he followed the blood trail. He and others searched for the big buck until midnight, then Smart took off work the next day so that could search.

He finally gave up hope.

"I would tell my friends about how big this buck was and that he had gotten away, and I could tell they thought I was making up stories" Smart said. "They were getting tired of hearing me talk about it."

But a week ago, he got a call from a friend who had gone to a Scouting event on a farm near where Smart had been hunting. There in the shed was the skull with the antlers of a giant deer that the landowner's boy had found while out exploring late this summer.

Smart's friend knew immediately that it was Smart's deer. The landowner agreed to give Smart the rack, but it wasn't that easy.

Smart had to go through an investigation by the Kansas Department of Wildlife, Parks and Tourism to make sure the deer hadn't been taken illegally. Then he had to get a salvage permit from the agency to take the deer.

Bottom line: Smart had his trophy deer. He took it to his friend Dan Thurston, an avid deer hunter and member of the cast for the national television show "Bow Madness," and they scored the deer. They estimated the **28-point buck scored in the 235 range.**

If the score is in that range when it is officially measured, it will rank in the top 20 for all-time non-typical whitetail bucks taken by bow in Kansas. But however it turns out, Smart is just thrilled that he has the giant buck that he never thought he'd see again.

"I went through a roller coaster of emotions," Smart said. "I thought about losing that buck for weeks. But everything turned out great."

To reach outdoors editor Brent Frazee, call 816-234-4319 or send email to bffrazee@kcstar.com.

Read more here: <http://www.kansascity.com/sports/outdoors/article2504300.html#storylink=cpy>

Similarities between the 51 point deer, the deer found two years later, and the deer poached on our land:

- All three are record class deer
- None of us committed a crime in the death of these deer
- Two of the deer were shot on one property, but once shot ran to another property
- All three deer are free range animals which crossed multiple property boundaries

Even though others may have seen these deer or even had photos of them, the KDWP&T issued salvage tags for two of them, but not for the third deer.

KDWP&T Officials and Law Enforcement Officers have stated that:

- If I had hit this deer with my vehicle I would have been given a salvage tag
- If I found it dead on our property I would have been given a salvage tag (recall the 51 point deer)
- However, if a poacher violates our property rights and kills a record setting deer, the KDWP&T keeps it and mounts it for their use

THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION, SPORTSMEN, AND THE BOONE AND CROCKETT CLUB

Natural resources, including wildlife represent the health and wealth of a country and its people. We are fortunate in North America to have a proven system that not only recognizes these values, but also provides for and directs the proper use and management of these resources.

The North American Model of Wildlife Conservation is anchored by a Supreme Court decision that decreed that wildlife belongs to the people, and not government, corporations or individuals. It further directs how this natural resource is to be used and managed under sustainable guidelines for the betterment of wildlife and people. It is the reason why we still have abundant, wildlife populations in the U.S. and Canada and the opportunity to freely hunt, fish or enjoy this wildlife each in our own way.

The Model is guided by seven principles. It developed over time out of necessity to reverse the negative effects from the unregulated over harvesting of many species of wildlife and early attitudes that these resources were there for the taking and inexhaustible. Sportsmen and women, led by the efforts of the Boone and Crockett Club and its members helped to either establish, popularize, mobilize support for, and/or defend each of these guiding principles over the past 125 years. The results are unprecedented in the history of mankind.



**WILDLIFE AND ITS
HABITAT CANNOT
SPEAK, SO WE MUST
AND WE WILL.**

THEODORE ROOSEVELT

In the Public Trust – Wildlife belongs to the people and managed in trust for the people by government agencies.

Who owns wildlife was determined by a Supreme Court decision at the time the New World was flexing its new independence from European rule. The Public Trust Doctrine is the pillar of North American conservation, but it took time for citizens to fully understand the responsibilities that came with this ownership.

Many of the Boone and Crockett Club's early efforts were focused on awakening the people to the plight of their wildlife resources, and that these resources did indeed belong to them, and were in their care. These efforts were in concert with the conservation laws the Club and its members were proposing to aid in the recovery and protection of wildlife. Once the public realized it was their wildlife being irresponsibly eliminated their outcry was so great that conservation legislation passed with ease.

Prohibition on Commerce of Dead Wildlife – It will be illegal to sell the meat of any wild animal in North America.

The harvesting wildlife for commercial markets contributed greatly to the extinction of some species of wildlife, and the near extinction of others. With the Boone and Crockett Club rallying the public and political support needed, Club member Senator John F. Lacey of Iowa was able to present and pass the Lacey Acts of 1900 & 1907, which prohibited a commercial value to wild game meat, spelling the end of market hunting, allowing our wildlife to recover and flourish.

Allocation of Wildlife is by Law – Laws developed by the people and enforced by government agencies will regulate the proper use of wildlife resources.

The mere presence of man on the landscape can negatively affect wildlife and the habitats that support them. The rule of law instead of the rule of chance will be used to govern the appropriate use of these wildlife resources.

The Boone and Crockett Club proposed laws and rallied public support for these new rules of order. The Club helped establish government agencies like the U.S. Fish & Wildlife and National Forest Services that were needed to oversee the proper execution and enforcement of these laws. The Club's Fair Chase statement also became the cornerstone for game laws established by the states.

Opportunity for All – Every citizen has the freedom to hunt and fish.

Public access to wildlife, regardless of social or economic status, including hunting, fishing, and trapping is a right of citizenship. This access fosters individual stewardship and provides the funding necessary to properly manage wildlife resources in a sustainable manner.

*Boone and Crockett Club founder, Theodore Roosevelt believed strongly in wise-use conservation and fought aggressively against preservationist, or non-use proposals. The Club also believed that **those who use the resource should pay for its care and maintenance**. The Club lobbied for the laws and institutions that provided this funding, including a federal excise tax on sporting arms and ammunition and the federal Duck Stamp program. Sportsmen and women subsequently stepped forward and gladly accepted their role in funding conservation*

Non-frivolous Use – In North America we can legally kill certain wildlife for legitimate purposes under strict guidelines for food and fur, in self-defense, or property protection. Laws are in place to restrict casual killing, **killing for commercial purposes**, wasting of game, and mistreating wildlife.

The rules of proper use, both in written law and personal ethics, did not exist in commercial market and sustenance hunting cultures. As these activities faded, what remained was recreational, sport hunting. What separated a true sportsman from market gunners was an ethical code of personal conduct that was defined and promoted by the Boone and Crockett Club. These same tenets of Fair Chase were used as the cornerstone of modern-day game laws. Club member, Aldo Leopold is credited with framing the concept of a land ethic and managing entire biotic communities. Combined, the foundations for the proper use of The intricate nature of ecosystems and biotic communities, of which all wildlife and man belong, will be managed under the knowledge of science rather than opinion, or conjecture.

wildlife and the habitats that support them was put in place to support conservation, defined by Club member, George Bird Grinnell as, "wise use without waste."

International Resources – Because wildlife and fish freely migrate across boundaries between states, provinces, and countries they are considered an international resource.

The proper management of certain species of migrating wildlife is to be managed by international treaties and laws.

Sportsmen were among the first to recognize the need for international treaties and laws to save what was left of decimated waterfowl populations. Wildfowl that nested in Alaska, Canada and the Lower 48 States, and then migrated as far south as Mexico, could only be saved if restrictions to the loss of their wetland nesting habitats and hunting reached across international boundaries. The Boone and Crockett Club responded with the establishment of the National Wildlife Refuge system (1903) and the passage of the Migratory Bird Act of 1913 & 1917, the Reclamation Act of 1902, and the Migratory Bird Conservation Act of 1929 all contributed to the recovery and future prosperity of migratory species.

Managed by Science – The best science available will be used as a base for informed decision making in wildlife management.

The intricate nature of ecosystems and biotic communities, of which all wildlife and man belong, will be managed under the knowledge of science rather than opinion, or conjecture.

Boone and Crockett Club founder, Theodore Roosevelt was a strong advocate of science, and that only the best science available was to be used to make critical decisions on natural resource management. The Club began by providing seed money for some of the first wildlife research projects. Under the leadership of member, Aldo Leopold the Club began formulating flexible scientific management policies for wildlife and natural resources to achieve an ecological balance. The Club also called for the first President's Conference on Outdoor Recreation, which led to the establishment of the National Recreation Policy, which coordinated resource management at federal, state, and local levels.

The North American Wildlife Conservation Model



The North American Wildlife Conservation Model is the only one of its kind in the world. In the mid-1800's hunters and anglers realized they needed to set limits in order to protect rapidly disappearing wildlife, and assume responsibility for managing wild habitats. Hunters and anglers were among the first to crusade for wildlife protection and remain some of today's most important conservation leaders.

History

As early settlers made their way West, North America's wildlife populations diminished due to market-hunting and habitat loss. Many species were on the brink of extinction. Elk, bison, bighorn sheep, black bears—even whitetail deer—had all but disappeared across the country. Hunters and anglers realized they needed to set limits in order to protect what they loved and assume responsibility for the stewardship of our natural resources.

Hunters like Theodore Roosevelt and George Bird Grinnell rallied fellow sportsmen. They pushed for hunting regulations and established conservation groups to protect habitat.

Basic Principles

Their efforts are the backbone of the North American Wildlife Conservation Model. The model has two basic principles – that our fish and wildlife belong to all Americans, and that they need to be managed in a way that their populations will be sustained forever.

The principles of the North American Wildlife Conservation Model are explained more fully through a set of guidelines known as the Seven Sisters for Conservation.

Sister #1 – Wildlife is Held in the Public Trust

In North America, natural resources and wildlife on public lands are managed by government agencies to ensure that current and future generations always have wildlife and wild places to enjoy.

Sister #2 – Prohibition on Commerce of Dead Wildlife

Commercial hunting and the sale of wildlife is prohibited to ensure the sustainability of wildlife populations.

Sister #3 – Democratic Rule of Law

Hunting and fishing laws are created through the public process where everyone has the opportunity and responsibility to develop systems of wildlife conservation and use.

Sister #4 – Hunting Opportunity for All

Every citizen has an opportunity, under the law, to hunt and fish in the United States and Canada.

Sister #5 – Non-Frivolous Use

In North America, individuals may legally kill certain wild animals under strict guidelines for food and fur, self-defense and property protection. Laws restrict against the casual killing of wildlife merely for antlers, horns or feathers.

Sister #6 – International Resources

Wildlife and fish migrate freely across boundaries between states, provinces and countries. Working together, the United States and Canada jointly coordinate wildlife and habitat management strategies. The Migratory Bird Treaty Act of 1918 demonstrates this cooperation between countries to protect wildlife. The Act made it illegal to capture or kill migratory birds, except as allowed by specific hunting regulations.

Sister #7 – Scientific Management

Sound science is essential to managing and sustaining North America's wildlife and habitats. For example, researchers put radio collars on elk to track the animals' movements to determine where elk give birth and how they react to motor vehicles on forest roads.

Wildlife Funding

Hunters also recognized the need for a significant and sustainable source of funding for wildlife stewardship. In 1937, sportsmen successfully lobbied Congress to pass the Pittman-Robertson Wildlife Restoration Act, which put an excise tax on the sale of all sporting arms and ammunition. This was followed in 1950 by the Dingell-Johnson Act, which placed a similar tax on fishing equipment. Today, every time you buy hunting and fishing gear, you contribute to this fund. It generates upwards of 700 million dollars every year. This money has been used far and wide to conserve America's key wildlife habitat. When you combine funding from the excise tax with the state license and tag sales sportsmen pay each year, it constitutes the majority of funding for wildlife in North America. It's not just funding for huntable wildlife, but for ALL wildlife. And it's paid for by sportsmen.