

wildlife

R E V I E W

UTAH DIVISION OF WILDLIFE RESOURCES

**If you make a
mistake, be honest**

***What to do if you make
a mistake while hunting***

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by Casey Mickelsen
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You may have heard the old adage, “the cover-up is worse than the crime.” That saying is often true, especially when the crime involves wildlife.

All of us make mistakes, including mistakes while we're hunting in the field. So what should you do if you make a mistake while hunting?

A case involving two elk hunters in Utah is a good example of what not to do.

More than one mistake

As the sun peaked over the mountains on the opening morning of the 2006 Utah general elk hunt, two

hunters—one from Salt Lake City and one from Ferron—were searching for elk in the Buck Flat area of the Manti-LaSal National Forest in Sanpete County.

The Ferron resident had a permit to take a cow elk. The Salt Lake City resident had a permit that allowed him to take a spike bull. Spike bulls are typically young bull elk that have at least one antler that does not have any forks on it (see illustration).



Legal in a spike bull unit.



NOT legal in a spike bull unit.

Early in the morning, the two men spotted a small group of elk. The group consisted of a few cow elk and one bull. The cow hunter raised his rifle and shot one of the cow elk. The spike hunter dropped the bull.

When the Salt Lake City hunter reached the bull elk, he realized he had made a mistake. The bull was a 2x2 bull, with antlers that forked on both sides.

The hunters cleaned both elk appropriately and then drug them under some nearby trees to keep them cool. As they were doing this, another group of elk hunters approached them.

When the group of hunters learned what had happened, they suggested that the pair not contact the Division of Wildlife Resources. They told them that if they contacted the DWR they'd be in even more trouble and that the agency would throw the animal in a dead animal pit where it would waste away.

While this group of hunters may have believed what they told the pair, none of the information they gave the two hunters was true.

After the group of hunters left the area, the two men



The elk's antlers forked on both sides, making it illegal.

returned to their camp to retrieve an all-terrain vehicle. Despite U.S. Forest Service signs that clearly marked the area as an area that was closed to motorized vehicles, they used the ATV to drag both of the elk to their pickup truck.

But before moving the bull elk, they did something that would get them into even more trouble. The hunter

from Ferron took out his pocket knife and sawed off a forked antler point on one of the antlers. That made the antler look like a single spiked antler, which made the elk look like an elk that would have been legal for the Salt Lake City hunter to take.

As they drug the bull with their ATV, the antler with the sawed-off fork broke. The pair eventually loaded the elk in their pickup truck and returned to camp near Willow Lake, where they hung the elk in a tree.

Early the next morning, they loaded the bull elk in the pickup truck and headed to Ferron, where the Salt Lake City resident had parked his vehicle.

As they were driving down Ferron Canyon, they passed me. I saw the elk in the bed of their truck and pulled them over to check their hunting licenses and tags.

As I checked the elk, the broken antler didn't look right to me. I asked the hunters several times if the elk was actually a 2x2 elk. They insisted that the elk was a 2x1 elk and that all of the damage to the antler happened while they were pulling the elk behind their ATV.

But after further investigation, the Ferron resident



The hunter illegally sawed off the spike of one antler.

finally confessed that the elk was a 2x2. Both of the hunters continued to deny that they had altered or broken the antler, however.

I confiscated the bull and informed the pair that the Sanpete County Attorney's Office would handle any charges filed in the case.

As interviews continued with the men, they finally

admitted that the hunter from Ferron had sawed the antler point off to make the antler look like a spike antler.

By this time, the hunters had made several mistakes—they made no attempt to contact the DWR about their mistake and when they were contacted by a law enforcement officer, they lied and tried to cover-up what they had done.

Both of the men later pled guilty to two Class A Misdemeanors, one for wanton destruction of protected wildlife illegally taken and the other for obstruction of justice.

Each hunter was ordered to pay a \$1,000 fine, split the \$750 restitution cost for the bull elk and split the \$120 it cost to process the elk.

The elk was donated through Justice Meats in Huntington to needy families in the Emery County area.

Both defendants were also ordered to complete 200 hours of wildlife-related community service and serve 18 months probation. Their big game hunting privileges in Utah were also revoked for five years.

Be honest

As I investigated the crime scene, I could see that it would have been difficult for the hunters to see the antler forks if they had not taken the time to carefully view the bull. The outcome of this whole case could have ended differently if the men had notified the DWR and had not tried to destroy the evidence.

This case illustrates the meaning of “the cover-up is worse than the crime.” Both hunters were convicted of crimes based on their actions after the elk was killed—not because the elk was killed.

Taking the right steps

Please remember that mistakes can happen in the field. The most important thing isn't the mistake you make, but what you do after you've made a mistake:

- If you make a mistake and harvest an animal illegally, the first thing to do is not let the animal waste. It is completely appropriate, and expected, that you'll take steps to ensure that the animal does not spoil or go to waste. Field-dress the animal, and if needed, move it to

an area where it will be shaded from the sun and other elements.

- Leave all of the evidence related to the case at the scene, including shell casings, footprints and the gut pile. Leaving the evidence at the scene will allow a conservation officer to investigate the scene properly.
- Notify the DWR immediately by calling the the UTiP Hotline at 1 (800) 662-DEER (3337) or your local highway patrol department.
- Be completely honest about what happened.

Good hunter ethics like those listed above will help ensure that the great sport of hunting continues for years to come. 🦌