



March 3, 2015

From: Audubon Society of Portland
To: Oregon Senate Judiciary Committee
Re: Senate Bill 175

Dear Members of the Senate Judiciary Committee,

Audubon Society of Portland promotes the enjoyment, understanding and protection across Oregon. One of our priorities is ensuring that strong laws are enacted and enforced to protect Oregon's native wildlife. On behalf of our 15,000 members, we strongly urge you to support passage of SB 175.

SB 175 simply restores penalty language that was enacted in 2011 (SB 924) but which sunsetted on January 1, 2015. The 2011 bill was passed with strong bi-partisan support as well as support from fishing, hunting, conservation and animal welfare organizations. It was unfortunate the sunset clause that was attached to this bill was forgotten until it was too late to prevent it from taking effect. SB 175 reinserts the sunsetted language verbatim without any additions or subtractions—the law would be the same as it was on December 31, 2014.

The restored language in SB 175 takes a critical step forward in the fight against wildlife poaching in Oregon. Despite laws that have been on the books for decades, poaching remains a significant problem in Oregon. Wildlife rehabilitation centers continue to see a steady stream of hawks, falcons, eagles and osprey that have been illegally shot. It is notoriously difficult to catch individuals in the act of poaching. However, even when poachers are identified and successfully prosecuted the courts have been reticent to impose significant penalties.

The provision of SB 175 sends a strong message to the community that Oregon takes poaching seriously. SB 175 imposes minimum penalties for the illegal take of specific species¹ in which the public has made a huge investment towards restoring and maintaining healthy populations.

Specifically SB 175 restores language that does the following:

- Requires imposition of a fine of the greater amount of \$6,250 or the maximum allowed by law if a person takes three or more times the daily bag limit of any wildlife species.
- Requires imposition of a fine of the greater amount of \$3,125 or 50% of the maximum allowed by law if a person, with a culpable mental state take sturgeon greater than 6 feet in length, sells illegally taken wildlife for personal gain, or takes a bird of prey and had a previous conviction for taking a bird of prey

¹ The mandatory minimum penalties would only be required when the crime was committed with a culpable state of mind. Mandatory minimum penalties would not apply when take is incidental or accidental.

- Requires imposition of a penalty of the ¼ the maximum penalty allowed by law if a person, with a culpable mental state takes a bird of prey without a prior conviction for taking a bird of prey.
- Requires imposition of the maximum fine allowed under law when a person is convicted for the third or more time of a Class A misdemeanor involving the illegal take of wildlife.

These enhanced penalties are necessary to help curtail an epidemic of poaching in Oregon. The State and its residents have spent hundreds of millions of dollars to restore wildlife populations and wildlife habitat across Oregon. Each year thousands of people donate their time and skills to support habitat restoration projects, monitor wildlife populations, participate in wildlife rehabilitation programs and engage in myriad other wildlife related projects. Wildlife watching, hunting, trapping and fishing activities contribute more than a billion dollars to local economies each year and wildlife related equipment purchases in Oregon generate another \$1.5 billion in economic activity.² SB 175 is the right thing to do to protect our natural heritage, our community investments and our local economies.

Thank you for your consideration of these comments.

Respectfully,

A handwritten signature in black ink that reads "Bob Sallinger". The signature is written in a cursive, slightly slanted style.

Bob Sallinger
Conservation Director
Audubon Society of Portland

² ODFW Report on Hunting, Fishing, Wildlife Viewing and Shellfishing in Oregon (2008)