



Oregon

Kate Brown, Governor

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**To: The Honorable Brian Clem, Chair
House Committee on Agriculture and Natural Resources**

House Bill 372A

Captain Jeff Samuels, Oregon State Police Fish and Wildlife Division

Good morning Chair Clem and members of the committee. The Oregon State Police (OSP) is neutral on SB 372A and offers the following comments.

Currently the Oregon Department of Fish and Wildlife, should SB 372A be enacted, is considering modeling the salvage of deer and elk similar to what the Washington Department of Fish and Wildlife (WDFW) has in their current wildlife salvage permit system which requires an online permit be obtained within 24 hours of killing a deer or elk by motor vehicle. It should be noted that Washington differs from SB 372A in that WDFW only allows salvage of deer and elk killed by motor vehicle collision and does not issue salvage permits for deer or elk that are killed by other means after the vehicle collision renders them crippled or helpless.

As you are aware, the Oregon State Police Fish and Wildlife Division is tasked with enforcing the fish and wildlife laws, to include preventing and detecting the unlawful take and unlawful possession of wildlife. The OSP has some concern with a potential poaching loophole presented in Section 2, subsection (3) of SB 372A which provides that the driver of a motor vehicle that collides with a deer or elk rendering it crippled or helpless can kill (i.e. shoot) said deer or elk under ORS 498.016, which refers to killing crippled or helpless wildlife, then salvage it under SB 372A and subsequent rules adopted for wildlife salvage by the State Fish and Wildlife Commission.

Poaching loophole scenario: Poacher unlawfully shoots a doe deer out of season and then begins to transport the deer back to residence in his pickup. While on the way home the poacher is stopped by a Trooper for no brake lights and the Trooper observes the deer in the bed of the pickup. Poacher then claims that he road struck the doe crippling it with his pickup and had to put it out of its misery by shooting it. Poacher then claims he is salvaging the doe and plans to obtain salvage permit on-line within 24 hours. Trooper would not be able to take any action.

Today, with the same scenario, the fact that the poacher has the doe in possession when it is closed season is prima facie evidence that the doe deer was killed unlawfully under ORS 496.690 – Possession of wildlife as evidence of illegal taking. The Trooper would seize the doe deer and issue a citation for unlawful take or possession of deer.



OSP understands and appreciates the intent of SB 372 and in fact have discussed with WDFW Enforcement their salvage model and they find it workable.

That concludes my testimony and I thank you for the opportunity to comment on SB 372A.

Contact:

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