

4/9/19

TO: Representative Brad Witt, Chair, House Committee on Natural Resources, 900 Court St NE, Salem, OR 97301

RE: Testimony supporting S.B. 580 – Legislation to prohibit use of M-44 cyanide devices to control wildlife

Dear Chairman Witt and Members of the Committee,

This is a hard testimony for me to write as it drags out memories of an event from which I am still trying to recover. But for those very reasons, I will recount my experience as many times as it takes -- in hopes that it will lead to a ban on the M-44 poison traps used by the USDA APHIS Wildlife Services Program (WS). I hope if we can finally get M-44s and other irresponsibly used lethal poisons out of the hands of WS it may save other people from suffering similar or worse nightmares.

It's terribly unfortunate that in the intervening 25 years since our loss, so many more people have suffered similar traumas. How awful it was to read about the Mansfield family in Idaho and the M-44 event in 2017 that led to the death of their dog, and very nearly killed their young son.

In the fall of 1994 my fiancé and I were living on a farm north of Eugene that has been passed down to me through four generations of my family. We moved down to begin restoration of my great grandfather's 160 year-old farmhouse. We had many wonderful experiences while living in the Willamette Valley but it's hard to not let it all be overshadowed by one terrible, life-changing event. While walking our dog across the middle of my 250-acre property she came upon a hidden M-44 cyanide trap set in the grass by Federal agents.

When we moved down from Seattle we were trying hard not to be dumb city people and were grateful for advice from our Oregon friends and relatives about the dos and don'ts of life in the Valley. Everyone warned us that loose-running dogs would likely be shot by livestock farmers so the first thing we did upon arriving was to fence the yard for our two dogs, Jake and Ruby. Even on our own property we were always with the dogs and usually had them on leashes. The one thing no one thought to mention was the poison traps set out by Wildlife Services.

October 28th 1994, the rain gave way to a beautiful fall afternoon so we put down our tool-belts and headed out with the dogs for a long walk across my property to play in Pierce Creek. Coming home we crossed the creek that runs across the middle of my land, less than 1/4 mile from the house. I stopped to pick wild mint and Michael started on across the last field towards the house. The dogs were wandering in the ditch near me. When I saw Ruby rolling on her back in the grass I laughed, thinking she was playing. She got up then and started following Michael but suddenly dropped over on her side and was kicking at the mud. My heart went to my throat; I knew something was extremely wrong.

I threw down everything I was carrying and screamed for Michael. We both ran to Ruby. Her eyes were rolled back; she was in violent convulsions and having trouble breathing. There was a strong, chemical smell -- sharp and metallic. We immediately suspected poison and I bent near her mouth and inhaled deeply to try and identify the smell or to be able to describe it to a vet or medic. It didn't occur to me right then that it might be poison gas and that I shouldn't breathe it. Ruby was gasping and crying with her head arched back, eyes wild, fighting for air. Her strong legs thrashed and with every

choking breath she let out a screaming moan. Ruby, a 130 lb. Mastiff, was a tank of a dog. She had always seemed impervious to any kind of pain, so it was a shock to see her suffering so terribly. She was foaming at the mouth and her tongue was hanging limp in the dirt. I reached in her mouth to make sure her windpipe was clear and she bit my hand hard in a new wave of convulsions.

Michael began to run the 1/4 mile back to the house to get the van and call a vet. I knelt in the mud shaking and trying to get our big girl to keep breathing. More than anything I felt devastatingly helpless. As minutes ticked by she struggled less and less and breathed less and less, but when I would call her name sharply she would always gasp in one more breath. Just as Michael got back with the van -- it must have been fifteen minutes -- Ruby stopped breathing. We briefly tried to do CPR on her (through a plastic tube pushed down her throat) but it was clearly over.

According to Wildlife Services, death by M-44 cyanide is supposed to take about 45 seconds. It took ten or fifteen agonizing minutes for our dog to die.

We sat there in the mud sobbing, in absolute disbelief; it was hard to reconcile that such a sweet landscape could be hiding something so terrible, something that could strike down our mighty friend so quickly. Michael searched the grass where she had first rolled over and found the detonated trap as well as the tiny, faded sign warning that it was sodium cyanide. Both sign and trap were completely buried in tall grass. We then washed our hands in the creek and that's when Michael saw that I had been bitten. Fresh blood was running from a puncture wound on my right hand. With all my attention on Ruby, I hadn't even thought about it. The dreadful thought then occurred to both of us that we didn't know how cyanide worked and that I probably had it in my system by then. We were 30 minutes from the nearest hospital and had just watched an animal considerably more robust than me die horribly before our eyes. Neither of us said what we we're thinking, but I could see it in Michael's eyes; we both wondered if I was next.

We hurried to the van and raced for the farmhouse to call 911. During the seemingly endless ride across the field my heart began to pound hard and fast and I started to feel light headed and nauseous. I was getting tunnel vision and was struggling not to pass out as I leaned against the car-door.

When we reached 911 the operator told Michael that, basically, if I was still alive at that point then I'd probably be all right. They said to clean the wound and stay close to a phone. I began to assume that my reaction, which was beginning to subside, must have just been panic.

(In retrospect, I wish we had gone ahead to the hospital to get blood-tests done and get 24 hours of monitoring since more research has shown that I was not, in fact, out of danger; but at the time we were both so distraught we just wanted to stay home and cry).

First thing Monday morning I tried to reach the Linn County Wildlife Services trapper. He called me back later in the day to say that he was very sorry and that he had removed all poison from my property (before dawn that morning) after getting the call from the farmer that leased our fields. He told me of several other incidents that year where similar "accidents" had killed other dogs in the area. That did not make me feel better. He also said not to worry, that the traps "are never harmful to people".

In the months following Ruby's death I had various symptoms that were worse in the first few weeks and slowly improved. I had an unpleasant metallic taste in my mouth and my heart never seemed to beat at a normal rate. I had never had insomnia until

then, but my heart would pound so hard at night I couldn't get to sleep. For the first few nights I was afraid that if I *did* fall asleep I'd have a heart attack. My arms started tingling and going numb, which had never happened before. They'd fall asleep from the shoulders down any time I sat still for more than a few minutes. Months later when I finally called the Washington State Poison Center hotline I was told: "what you're describing are the classic symptoms of low-level cyanide exposure." They said the numb arms were an example of the temporary neuralgic problems that cyanide can bring on. They also said they were quite surprised that I was alive to talk about it.

When I asked Wildlife Services (WS) how the traps could have been placed on my land without my permission they said that they had the consent of the farmer that leases part of my farmland and that it should have been his responsibility to notify me. (According to the regulations at that time, a farmer had to put in a specific *request* that poison be placed on a given piece of land, following the recorded loss of a farm animal to predators within recent months on that property. In reality, my farmer, the late Lonnie Parker, told me that it was standard practice for the local WS trapper to come around twice a year and have all the farmers in the area sign the request for WS predator control, and no one gave it much thought).

WS representatives explained to me that for them to try to obtain the consent of the actual property *owners* would be "too difficult." (The "difficulty," I was told, was that many owners live out of the area and it would be too much hassle to track them down.) It blew my mind that this agency could poison my land without even *notifying* me. At the very least one would think that with a residence so near the trap site it would be mandatory to notify the homeowner so that whoever was living there would be warned of the danger to their pets and families. It's preposterous to claim that M-44s pose no danger to children. For your average child, the beautiful creek bed in sight of my farmhouse would be the first, most obvious place to go exploring, and that's where they put the poison traps. I, for one, was a kid who liked the salt licks my grandparents put out for their cows and I would certainly have closely investigated any mysterious post poking out of the grass.

In my dealings with Wildlife Services following our loss, I was stunned at their total lack of accountability. If this sort of "accident" happens once or many times one would think there would be some sort of review process to help prevent it from happening again -- especially in cases like ours where the traps were in violation of several Wildlife Services regulations. (They installed the trap beside a running stream, there were no warning signs at the nearest property entrance, no effort made to notify the family living in the house nearby, and the warning signs on the trap were completely obscured by thick brush and grass -- clearly not checked weekly as required by law.)

It took many months and a lot of noise on my part before I ever received a letter of regret about the incident from Wildlife Services (although never admission of any error on their part). In spite of the fact that we were walking our dog on my property, the only record WS made of the event was that there was a "loose-running dog" casualty. In sheep country, *loose running dogs* are considered predators so I'm sure that categorization is one more way for WS to make her death seem justifiable for their year-end tally.

Within a week or two of Ruby's death I located Brooks Fahy and Predator Defense in Eugene. I don't know what I would have done without them as a source of support and straight information as I have struggled over the years to make *something* good come out of this terrible business.

During that first year I mounted the best protest I could, writing to Wildlife Services and every politician I could think of. Thanks (no thanks) to the incredible lobbying power

of WS and the ranching industry my letters and protests fell on deaf ears. It was extremely disillusioning. My dealings with WS proved them to be an arrogant and extremely short-sighted agency experimenting with dangerous chemicals at the risk of many. For decades WS has operated with almost complete impunity, which means they don't have to be the least bit smart or careful in what they do, (and consequently, they are *neither*). In response to complaints WS simply denied each and every violation and it came down to my word against theirs.

I continue to feel bitter about a Federal government that would support such an agency and deeply sad that Oregon, my ancestral homeland, may never again feel like the haven it always was for me growing up. I don't have a good solution for the centuries old coyote/sheep issue, but clearly, neither does Wildlife Services. From everything I've read, their efforts don't significantly reduce wildlife predation and I fail to see the sense in perpetuating a program that not only doesn't solve the problem but creates a whole set of new ones by littering an otherwise peaceful environment with land mines that wait indiscriminately for whoever happens along.

Time and again, Wildlife Services has proved themselves to be sloppy *and* lethal: clearly a losing combination.

I'm not contesting a farmer's right to protect his or her own livelihood, but why should the government and taxpayers be doing it for them, and with such a broad-sweeping, unaccountable and clearly dangerous approach? The Wildlife Services program is reminiscent of the bad old days of wild animal genocide in the 19th century American west -- with bounties on wolves and shooting buffalo from trains; it's just astounding to me to realize that this is still going on, and in my own back yard.

I like to think I'm pretty tough and resilient, so it's hard for me to admit this sort of thing, but the whole event left me dealing with many months of anxiety attacks and what turned out to be Post Traumatic Stress Disorder. I've been troubled by bouts of depression ever since.

I tried not to let the incident wreck my feelings for my Willamette Valley farm, and "the land of milk and honey" described by my covered-wagon ancestors. But year after year it made me sad, bitter and angry to return to my farm. I feel that an important part of my life was stolen from me by Wildlife Services.

Two years ago I made the decision to sell my family farm to people who could start fresh -- without the history of heartbreak there. I told the new owners of our experience, however, and warned them to be very careful with their children and pets.

Predator Defense has my undying gratitude for all the support they have given me when there was none other to be found. They seem to be one of the few groups in the country that's been consistently exposing and documenting Wildlife Services' atrocities and working to hold them accountable.

From my own experience I know what a battle it will be to get these poisons out of the grip of Wildlife Services, but they have no right to be playing their under-regulated lethal game at the risk of people and animals the Willamette Valley. I greatly hope I live to see the enactment of legislation to ban any further use of M-44s on public and private lands.

Thank you for your consideration of this serious issue,

Amanda Wood Kingsley
Port Townsend, WA



Amanda and Ruby 1993



Ruby keeping watch over Michael while he napped in the garden



A visit back to the farm with my children in 2002