



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Office of Law Enforcement
134 Union Blvd, Suite 640
Lakewood, CO 80228

In Reply Refer To:
FWS/LE INV#2015604811

Memorandum

October 15, 2019

To: Assistant Director, Office of Law Enforcement
From: Special Agent in Charge, Denver (b) (6), (b) (7)(C)
Subject: Request for Payment of Rewards

In accordance with 450 FW 2, I request approval for payment of a reward.

Name of recipient 1: (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)
Occupation: (b) (6), (b) (7)(C)
Employer: None

INV Number and Title: INV# 2015604811 - Barber's Point Grizzly Bear- September 23,

2015 Amount of Reward: (b) (6), (b) (7)(C) \$2,000.00 and (b) (6), (b) (7)(C) \$0.00

Prior Compensation: No prior compensation has been provided to (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C)

Statute: Endangered Species Act

Reward Account: Law Enforcement Reward Account
(b) (6), (b) (7)(C)

Concurrence: Acting SAC, Investigations Unit (b) (6), (b) (7)(C) Date 10/23/19

Approved: Assistant Director, Office of Law Enforcement (b) (6), (b) (7)(C) Date 10/31/19

Processed: Budget Officer (b) (6), (b) (7)(C) Date 11/1/19



Justification:

On September 23, 2015, the Wyoming Game and Fish Department (WYGFD) and the U.S. Fish and Wildlife Service (FWS) conducted an investigation into the unlawful shooting of a federally threatened grizzly bear near Barber's Point Road not far from Dubois, Wyoming. The officers had no leads in the investigation until ██████ called with information about the dead grizzly bear. ██████ came forward and wanted to remain anonymous and said he feared ██████ would retaliate against him or his (b) (6), (b) (7)(C) ██████. ██████ anonymity was compromised as the investigation progressed and he has had to (b) (6), (b) (7)(C) ██████ with others knowing he cooperated in this investigation. ██████ said he over-heard ██████ bragging in a ██████ bar that he shot and killed a grizzly bear near Barber's Point Road. Using his cell phone, ██████ recorded ██████ bragging in the bar about how he had killed the grizzly bear. ██████ provided the recording to the officers. In the recording, ██████ said he used his 300 Ultra Mag rifle to shoot the grizzly bear while it fed on the remains of a dead elk. The officers obtained a search warrant for ██████ residence and collected evidence related to the grizzly bear and found evidence of other wildlife violations. The video evidence found on ██████ phone implicated ██████ and ██████ (b) (6) ██████ other illegal wildlife activities in Wyoming. ██████ 300 Ultra Mag rifle closely matched the bullet that killed the grizzly bear. ██████ was indicted by a federal grand jury and pled not guilty to killing the grizzly bear. While awaiting trial in March of 2018, ██████ maintained he did not kill the grizzly bear throughout his pre-trial negotiations.

On February 15, 2018, (b) (6) ██████ called the WYGFD to report that (b) (6) ██████, (b) (6) ██████, killed the grizzly bear that ██████ was indicted for killing. ██████ was very hesitant to come forward and feared for her safety because during (b) (6) ██████ with ██████ he (b) (6) ██████ ██████ head butted ██████ and (b) (6) ██████. She has lived in a state of fear since she decided to come forward about ██████ illegal hunting activity. In a recorded interview, ██████ alleged that ██████ called her right after he was interviewed by officers investigating his and ██████ illegal hunting activities. She said ██████ was scared because the officers had evidence from ██████ phone documenting his wildlife violations. ██████ told ██████ he confessed to the officers about his state related wildlife violations, but he lied to the officers when he was asked about the killing of a grizzly bear. When ██████ asked why he lied about the grizzly bear, ██████ said he told the officers he knew nothing about ██████ killing a grizzly bear. ██████ told ██████ he shot the grizzly bear and ██████ was being wrongfully charged with killing the bear. ██████ said he and ██████ had planned to beat the charges because the officers believed ██████ 300 Ultra mag rifle was used to kill the bear. ██████ told ██████ he used his own 300 mag rifle to shoot the bear. ██████ said the officers would never find his rifle because he and ██████ buried ██████ rifle in the mountains near Dubois to prevent the officers from finding the rifle. ██████ said ██████ agreed to face the charges because he believed he could beat the case by proving his rifle would not match the bullet that killed the bear.

Armed with the evidence and testimony provided by (b) (6) ██████ was re-interviewed by investigating officers. ██████ denied any involvement in killing the grizzly bear and alleged

█████ was lying to get him in trouble. The officers recovered █████ rifle from a gunsmith who was in the process of changing out the barrels to have a new barrel with a different caliber installed on █████ rifle.

█████ was provided a target letter from the U.S. Attorney's office outlining the government's case alleging felony false statements, obstruction of justice and illegally killing a grizzly bear. █████ conceded he had been caught and admitted to illegally killing the grizzly bear and other wildlife in Wyoming. █████ agreed to testify against █████ When █████ learned that █████ was cooperating with the government, he too, confessed to his role in helping █████ kill the grizzly bear. He also accepted responsibility for his other wildlife violations uncovered in the investigation.

Without the assistance of (b) (6) █████ and (b) (6) █████, this investigation would not have led to the following federal convictions for █████ and █████ (see attached Judgment Orders).

On July 2, 2018, as part of a global settlement between the U.S. and the State of Wyoming, █████ plead guilty in federal court for his role in the taking/harassment/killing of a grizzly on Barber's Point Road and other state wildlife violations. █████ was sentenced to five years unsupervised probation; five years loss of his hunting privileges in accordance with the Wildlife Violator Compact; no fine; \$7000.00 in restitution payable to the WYGFD; and a \$25.00 court assessment. █████ also agreed to provide a truthful disclosure of his involvement and knowledge in the wildlife crimes documented in this investigation.

On July 23, 2018, as part of a global settlement between the U.S. and the State of Wyoming, █████ plead guilty in federal court for his role in the taking/harassment/killing of a grizzly on Barber's Point Road and other state wildlife violations. █████ was sentenced to five years unsupervised probation; 200 hours of community service; four years worldwide loss of his hunting privileges in accordance with the Wildlife Violator Compact; no fine; \$20,000 in restitution payable to the WYGFD; a \$25 court assessment; and forfeit the rifle used to kill the bear. █████ also agreed to provide a truthful disclosure of his involvement and knowledge in the wildlife crimes documented in this investigation.

On November 12, 2018, approximately four months after █████ began his federal probation for the grizzly bear violation, █████ was apprehended in Wyoming for illegally hunting deer and elk without a license and in a closed season. This case is pending in the state of Wyoming. After state charges are brought against █████ the process of revoking █████ federal probation will begin.

Attachments: Judgment orders for █████ and █████

Notes to Reviewer

Actions Requested: Request for Payment of Reward Approval
Case Title: The Barber Point Grizzly
INV#: 2015604811
Case Agent: SA (b) (6)

Investigation Synopsis:

In February 2018, (b) (6) Davis voluntarily provided invaluable detailed information to both Wyoming Game and Fish Department (WYGFD) and the U.S. Fish and Wildlife Service (Service)/Office of Law Enforcement (OLE), regarding the unlawful take of a federally threatened species, specifically, one (1) grizzly bear (*Ursus arctos horribilis*), near Dubois, Wyoming in violation of the Endangered Species Act (ESA).

On February 15, 2018, (b) (6) called the WYGFD to report that her (b) (6), (b) (6), killed the grizzly bear that (b) (6) was indicted for killing. (b) (6) was very hesitant to come forward because (b) (6) and (b) (6) for her (b) (6) (b) (6) acts during her relationship with (b) (6)

(b) (6) was charged with and plead guilty to an ESA violation (16 U.S.C. § 1538(a)(1)(G) & 1540(b)(1) and 50 C.F.R. § 17.40(b)(1)(i) & (2), Unlawful Taking of Threatened Wildlife - Grizzly Bear).

(b) (6) was charged with and plead guilty to an ESA violation (16 U.S.C. § 1538(a)(1)(G) & 1540(b)(1) and 50 C.F.R. § 17.40(b)(1)(i) & (2), Unlawful Taking of Threatened Wildlife - Grizzly Bear).

Without the cooperation and (b) (6), this investigation would not have reached a successful outcome and would not have led to the federal convictions of (b) (6) and (b) (6) who were responsible for killing the federally threatened grizzly bear.

Reviewer's Recommendation:

Special Agent (b) (6) reviewed the accompanying Request for Payment of Reward from the Lacey Act Reward Account. The reward conforms to the requirements under 450 FW 2. This request meets one or more criteria in 450 FW 2 and is recommended for approval.

Reviewer: (b) (6)
Special Agent Coop Chavis

10/22/2019
Date

Concur: (b) (6)
Acting SAC / INV Phetsamon Souphanya

10/22/19
Date

Concur: (b) (6)
Deputy Assistant Director Luis Santiago

10/22/19
Date