

Proceedings of the Arizona Game and Fish
Commission License Revocation & Civil
Assessment Hearings
Saturday, March 13, 2004 – 1:30 p.m.
Best Western Inn Suites, 6201 N. Oracle Rd.
Tucson, AZ

PRESENT: (Commission)

(Director's Staff)

Chairman Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton
Commissioner Michael M. Golightly
Commissioner Joe Carter

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay Adkins

14. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Roll call was taken. Susan and Scott Jackson and Sherri Barkley were present at today's meeting:

Motion: Carter moved and Melton seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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Susan Marie Jackson, Mike A. Madison, Sherrie J. Barkley, and Scott Jackson

Susan Jackson was charged with A) possession of restricted live wildlife (two mountain lion kittens) and B) possession of unlawfully taken wildlife (two mountain lion kittens). Count B was dismissed in Globe Justice Court and Count A was a guilty amended complaint of disorderly conduct. She was fined \$240.

Madison was found guilty per plea agreement in Globe Justice Court of possession of restricted live wildlife (two mountain lion kittens). He was fined \$410.

Barkley was charged with A) unlawfully possessing live wildlife (mountain lion kitten) and B) possessing unlawfully taken live wildlife (mountain lion kitten). In Payson Justice Court, Counts A and B (by plea agreement) were amended to criminal damage by the Deputy County Attorney. For criminal damage, Barkley was fined \$408 (suspended due to contacting animal rescue); assessed \$50 cost of prosecution and \$50 restitution in the form of a donation to animal rescue (Payson Humane Society).

Scott Jackson was charged with A) unlawfully possessing live wildlife (mountain lion kitten) and B) possessing unlawfully taken wildlife (mountain lion kitten). He was found guilty at bench trial of Count A in Globe Justice Court and was found not guilty of Count B. For Count A, he was fined \$477 and ordered to pay restitution to Southwest Rehabilitation Center in the amount of \$750 for the cost and care of a lion kitten.

Susan Jackson stated she had taken in and cared for animals most of her life. She kept one cub to take care of it and gave the other to Sherri Barkley. Jackson was not the one who killed the mother lion and she was not the one who took the cubs out of the den. She did not understand why she was being fined for having the cubs.

Sherri Barkley stated she was not responsible for the act that caused the cubs to be orphaned. The state incurred no cost for the care of the cubs. Southwest Wildlife Center arranged for veterinarian care. The cubs survived.

Scott Jackson stated they had no intention of keeping the cubs for pets; they were trying to save their lives. He was already fined in court and he paid restitution for the medical care of the cats.

Jim Barton, a rancher from Gila County, believed that since the mother lion was eating on livestock and raising her cubs to do that, the cubs were going to be doomed one way or the other.

Motion: Gilstrap moved and Carter seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST SUSAN MARIE JACKSON IN THE AMOUNT OF \$667.95 FOR HER PART IN THE LOSS OF TWO MOUNTAIN LION KITTENS. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Golightly moved and Carter seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF MIKE A. MADISON TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES FROM OR TO BRING CIVIL ACTION AGAINST MIKE A. MADISON TO COLLECT THE AMOUNT OF \$667.95 FOR HIS PART IN THE LOSS OF TWO (2) MOUNTAIN LION KITTENS. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Carter moved and Gilstrap seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST SHERRIE BARKLEY IN THE AMOUNT OF \$667.95 FOR HER PART IN THE LOSS OF TWO MOUNTAIN LION KITTENS. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Carter moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF SCOTT JACKSON TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES FROM OR TO BRING CIVIL ACTION AGAINST SCOTT JACKSON TO COLLECT THE AMOUNT OF \$667.95 FOR HIS PART IN THE LOSS OF TWO (2) MOUNTAIN LION KITTENS. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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John Edgar Watson

Watson was found guilty in Bagdad Justice Court of A) taking wildlife (mountain lion) by unlawful method. He was sentenced to probation for one year.

Motion: Golightly moved and Carter seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JOHN E. WATSON TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES FROM OR TO BRING CIVIL ACTION AGAINST JOHN E. WATSON TO COLLECT THE AMOUNT OF \$1,336.34 FOR THE LOSS OF ONE (1) MOUNTAIN LION. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous