

Proceedings of the Arizona Game and Fish  
Commission License Revocation and Civil  
Assessment Hearings  
Friday, March 10, 2006 – 2:24 p.m.  
Riverpark Inn, 350 S. Freeway Road  
Tucson, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman Joe Melton  
Commissioner Michael M. Golightly  
Commissioner William H. McLean  
Commissioner Robert Hernbrode

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Shelley Cutts

Commissioner Gilstrap was not present.

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

**Presenter:** Ronald Day, Law Enforcement Branch Chief

The Department would like the record to show that each of these cases have been reviewed and it has been determined that all cases meet the criteria established in A.R.S. §15-714, §17-238, §17-314, §17-340, §17-362 and/or §17-363 for Commission action. The record should reflect that the Commission and the respondents have been provided with copies of the original court docket and case reports prepared by the officers along with copies of all other pertinent materials in each of these cases. All of these exhibits may be considered by the Commission in order to make a final determination. Each individual has been legally noticed for today's hearing.

The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed below:

<u>Name</u>	<u>Conviction</u>
Myers, Roger E.	Count A: Take wildlife after hours (2 doves). Count B: Obtain license by fraud.
Olson, Todd B.	Count A: Take wildlife without a tag (turkey).

Roll call was taken and the following were present: Todd B. Olson.

**Motion:** McLean moved and Hernbrode seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

**Vote:** Unanimous  
4 to 0  
Gilstrap absent

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Todd B. Olson

Olson was found guilty by the Payson Regional Justice Court for: Count A: Take Wildlife Without a Tag (turkey); and sentenced Count A: Fined \$88.00.

Olson was present and addressed the Commission stating that the case history was correct, but he did not intend to poach a turkey. He buys an archery turkey tag every year, so he didn't realize, until he went to tag the turkey, that he somehow overlooked buying the turkey tag this year while buying his bear and deer tags. It wasn't right to leave the turkey so he was taking it. Mr. Olson also bought a general hunt fall shotgun turkey tag, but did not use it since he had already taken a turkey.

**Motion:** Hernbrode moved and Golightly seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **TODD B. OLSON TO HUNT, FISH AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **THREE (3) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **TODD B. OLSON** TO COLLECT THE AMOUNT OF **\$467.57** FOR THE LOSS OF **ONE (1) TURKEY**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0  
Gilstrap absent

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Roger E. Meyers

Meyers was found guilty by the Apache Junction Justice Court for: Count A: Take Wildlife After Hours (2 Doves); and Count B: Obtain License by Fraud; and sentenced Counts A and B: Fined \$963.00, Fine reduced to \$200.00 If Completes Life Skills Training Course (course completed per court); and Twelve (12) Months of Unsupervised Probation.

Meyers was not present, but sent a letter, which Mr. Day read into the record as follows: March 6, 2006, Dear Mr. Day, This letter is in response to Arizona Game and Fish Commission proceeding number 2006-0008. It has taken me so long to respond to your letter because I found it so upsetting I just couldn't deal with it. The incident report states that I have no current or past residency ties to Arizona. This is not quite so. I probably have more ties to Arizona than 90% of the people living there today. My father was born in Copperville in the territory of Arizona. Copperville is a ghost town that is across the gulch from Globe. My grandmother was a

postmistress in Copperville, perhaps the first postmistress in Arizona. My grandfather was a mining engineer in Globe. He died at age forty from the Spanish flu that killed seven million Americans and an estimated one hundred and fifty million people around the world following World War I. My dad, grandfather, and baby Julia, who only lived a few days, are all buried in the old Globe cemetery. My grandmother, aunt Olive, was a school nurse in Pima for over thirty years, my dad's younger brother, who died of appendicitis, are all buried in the Roger's cemetery in Pima. My great-grandfather rode a horse from old Tucson to the territory of Legislature in Prescott. I don't mean to bore you with my ancestry, I'm trying to give you some back ground as to why I told myself I was worthy of an instate license when I wasn't. In addition, an old buddy friend of mine from Phoenix and I have been fishing in the White Mountains for forty years, usually in October. By the way, I've always bought an out of state license when not fishing the reservation lakes. Love that big lake in the aspen trees. The Winchester model 12, 16 gauge is the shotgun I've hunted with most of my life. My dad gave it to me when I was twelve. I gave it to my son Eric when he was eleven and my dad bought it used from a fireman in Mesa in the late 1930's. I bought my old Barreta 303 several years ago from a friend at the EMR Trap and Skeet Club, not an EMR shotgun sports association. It weighs about nine and a half pounds and really wasn't a field gun. I have never had more than one shell in this trap gun and of course that was in the chamber. I assumed the 303 had a plug-in magazine, I was wrong. I had planned to use a 16 gauge, but he wanted to shoot it so I took my trap gun. We were going to shoot at Red Mountain that Saturday. Regarding the taking of the doves after hours, Eric and I have both read the regulations and neither of us caught the information buried among the numerous footnotes to the regulations. I assure you, we would not have been hunting in the afternoon had we known only those seventeen or younger could hunt after twelve. It seems to me any who are seventeen or younger who is hunting in the afternoon on a weekday is probably a truant. I don't understand that law, but we most certainly did not violate it intentionally. I served my country in the marine corp for six years including thirteen months in Vietnam. I worked for my employer for thirty-three years and by all accounts, did a good job. I've been driving for fifty-four years and never had any kind of ticket, not one. This isn't the background of your typical felon. I had a sorry ass lapse of judgment and did something really stupid. I apologize. I'm truly sorry and embarrassed for what I did. I paid a pretty hefty price for my violation. The nine hundred mile round trip to Apache Junction Courthouse cost me \$100 in gas and three days. I paid a fine of \$200. I paid close to \$100 for the ACCI Life Skills book that required a money order for payment and the postage to mail the book to Utah. I spent over twenty hours completing the workbook. I bought an instate license and migratory bird stamp. I don't recall what their cost was. It looks like I will owe around \$60 in civil penalties for the two doves I shot. That all comes to around \$500 and a lot of time. If you have read this far, I appreciate it. I am unable to make the trip to Tucson. It takes a lot longer to write out what I think is important than it does to speak the words. I respectfully request that you cut me some slack on the period of time for denying my right to buy a license. A five-year denial is pretty much the same as a life sentence. The old fall-aparts have set in and I don't think I will be lugging any iron through the hills at age seventy-four. Any consideration you give this request will be most appreciated. I promise you I will never pull a dumb stunt like this ever again. Yours truly, Roger E. Meyers.

**Motion:** McLean moved and Hernbrode seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **ROGER E. MEYERS TO HUNT AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **THREE (3) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE

DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **ROGER E. MEYERS** TO COLLECT THE AMOUNT OF **\$62.34** FOR THE LOSS OF **TWO (2) DOVES**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

**Vote:** Unanimous  
4 to 0  
Gilstrap absent

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These hearings concluded at 2:47 p.m.

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