

WDFW Managed Nonlethal Pursuit Training Program

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WDFW Public Safety Response

Agency Directives

Priority in providing the best public service related to dangerous wildlife incidents

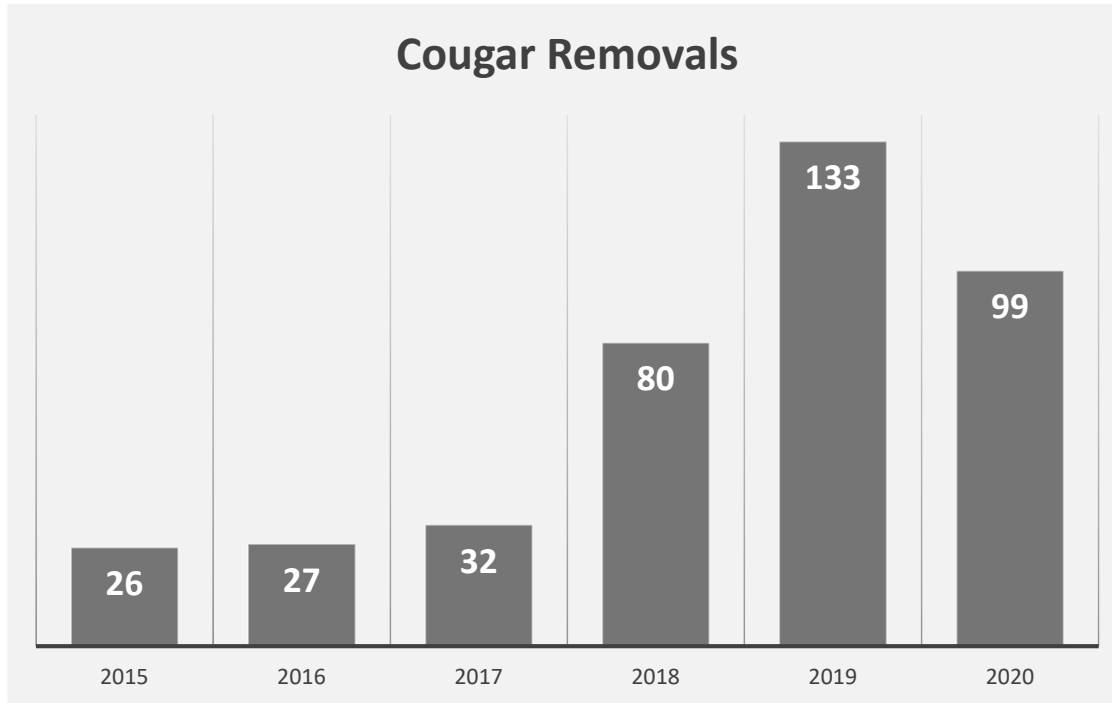
- 1996- Initiative 655, prohibition on the hunting of bear, cougar, bobcat, and lynx with dogs, with certain exceptions.
- The Fish and Wildlife Commission is authorized to allow the use of dogs to hunt or pursue black bear, cougar, or bobcat if there is a public safety need; to protect livestock, domestic animals, and private property; for scientific purposes; or to protect endangered species. (*RCW 77.15.245*)

WDFW Police

Public Safety is our top priority

- Primary authority on dangerous wildlife incidents.
- WDFW Police frequently call upon dog handlers to assist in locating offending animals.
- In these cases, handlers are acting under the purview as agents of the State.
- Currently, there does not exist a mechanism in Washington for handlers to keep dogs trained in between calls for service.

Cougars Removed by WDFW Police in response to public safety



Cougar Removals by Region		
Region	2019	2020
R1	70	69
R2	10	14
R3	6	4
R4	11	3
R5	17	6
R6	19	3
	133	99





At Stake:

- Failure to take proactive action will have a high likelihood of eliminating dogs as a relevant tool.
- Limited in access to training opportunities. Handlers currently drive to Idaho and Oregon to keep dogs in peak physical condition and to train young dogs.
- Negative Opinion, jeopardizing working dogs as a relevant tool.
- No established formal standards to ensure capable and ethical dog handlers are utilized by the Agency.



HB 1516

AN ACT Relating to establishing a department of fish and wildlife directed nonlethal program for the purpose of training dogs;



RCW

77.15.245

Changes

2 (a) Nothing in this subsection shall be construed to prohibit the ~~((killing))~~ **(hunting)** of black bear, cougar, or bobcat~~((, or lynx))~~ with the aid of a dog or dogs by employees or agents of county, state, or federal agencies while acting in their official capacities for the purpose of protecting livestock, domestic animals, private property, or the public safety.

2 ~~(a)~~ (d) Nothing in this subsection may be construed to prohibit nonlethal pursuit training of dogs by persons selected through the process established in RCW [77.12.077](#) for future use for the purpose of protecting livestock, domestic animals, private property, or the public safety.

RCW

77.12.077

Creation

Use of dogs to hunt/pursue black bear, cougar, bobcat—Rules—Training program—Nonlethal pursuit.

(1) The commission shall adopt by rule a process and criteria to select persons who may act as agents of the state for the purpose of using one or more dogs to hunt or pursue black bear, cougar, or bobcat to protect livestock, domestic animals, private property, or the public safety. The commission rule must outline the requirements an applicant must comply with when applying for the program including, but not limited to, a criminal background check.

(2) The department shall administer a training program to enable persons who have been selected pursuant to subsection (1) of this section to train dogs for use consistent with this section. The purpose of this program is to provide dog training opportunities using nonlethal pursuit.

[[2019 c 226 § 1.](#)]



Desire to ensure working dogs are a tool for wildlife management in the future.

Diverse Group of Stakeholders

Working Sessions and Meetings in
Ellensburg and Olympia

Conservation Northwest
Humane Society of the US
WA Cattlemen's Association
~~Mountain Lion Foundation*~~
Stevens County Commission
Western Wildlife Outreach
Working Dogs for Wildlife Conflict
Hunters Heritage Council
At-large Cougar Enthusiasts

*Request to remove Mountain Lion Foundation (MLF), as a MLF Board Member attended as a stakeholder, the Mountain Lion Foundation did not take part in developing the language, sign off on it, or agree to it as presented to the Commission.





WAC 220-412-130

In order to effectively manage and train hound handlers and their dogs to be agents of the state used for cougar conflict response, the department establishes the nonlethal pursuit training pass program.

Application Process – Training Program Enrollment

- ✓ Annual Application
- ✓ Complete a criminal background check
- ✓ \$25 Application fee to process background check

Criteria considered include:

Currently own and train working dogs on scent detection and tracking;

Hold a current driver's license;

Up-to-date vehicle registration and vehicle insurance for any vehicle used to transport working dogs

Application Process

The Department shall deny entry to an applicant who has;

- Been convicted within the last ten years of any criminal offense under RCW77.15 (WDFW enforcement), 76.48 (specialized forest products), or 16.52 (animal cruelty);
- Been found to have committed, or to have paid, any infraction for a violation of RCW77.15 RCW except recreational fishing under RCW 77.15.160, in the last ten years;
- Been convicted within the last ten years of any crime of dishonesty;
- Been convicted of any felony, or released from custody pursuant to any felony conviction, within the last ten years;



Application Process

- Been convicted of, or been found to have committed, any criminal or civil violation found deceptive, untruthful, or obstructed a law enforcement officer, other than violations of RCW 46.61.050 and 46.61.400, within the last ten years;
- Been convicted of unlawful possession of a firearm under RCW 9.41.040, felony offense, or is otherwise ineligible to possess a firearm;
- A current hunting or fishing license revocation or a current suspension of hunting or fishing license privileges in Washington **or in another state**.

An applicant must disclose any pending criminal charges in any municipal, state, or federal court. The department may defer approval or denial on an application until such criminal charges have been adjudicated.



Application Process

- The department has the authority to deny an application.
 - If denied an informal appeal may be made to the Chief of Police. Formal Appeal: right to an administrative hearing to contest the agency action pursuant to chapter 34.05 RCW
- Anyone in the program found to have any of the invalidating circumstances shall be removed from the program and the training pass revoked.
- If the department learns of a new pending criminal charge or incident the department may suspend the training pass applicant's participation in the program until resolution of the charge or incident.



Application Process

A Person Must Provide with completed application;

- Signed Affidavit
- Applicant's driver's license
- Current proof of vehicle liability insurance
- Copy of a valid hunting license

Submission of false or fraudulent information is grounds for removal from the program.

Training program enrollment:

- No more than fifty (50) training pass holders
- Program will be administered by Enforcement

Training Pass Procedure

Step 1) Prior to engaging –

- Obtain pass from the Department Captain
- Pass is issued for a period of up to thirty days
- Optional thirty-day renewal at the request of the training pass holder.

This training pass will detail the time frame and geographic scope of the training area that is acceptable to the captain and the training pass holder.

Step 2)

- communicate with the department sergeant of the training area.
- Keep the department sergeant appraised of regular training activities, and the sergeant shall keep the training pass holder appraised of any operational or logistical concerns or restrictions.

A department captain may, at any time, change the geographic scope or time frame of the training pass to address management or emergent needs, and retains the discretion to terminate a training pass.



Training Pass Procedure

- Allowed up to four immediate family members present.
- Additionally, the owner of real property who has granted permission to the training pass holder may be present or may designate a representative in writing. Corporate landowners may designate security personnel or contractors to accompany a training pass holder participating in a training exercise with a nonlethal pursuit training pass.
- A department sergeant with oversight of the training area may authorize, in advance, additional observers.



Logbook Requirements

Entries in the logbook shall include:

- (a) Training pass holder's name, names of those accompanying or observing, and number of dogs trained or participating;
- (b) Date and location of the training, including the names of any roads traveled, trails traveled, or routes taken. The entry shall specify the owners of any land traversed;
- (c) If any cougars were detected, the logbook must contain the corresponding GPS coordinates; and
- (d) The discharge of any firearms, and the person responsible for the discharge.

Logbooks are required to be completed for each training trip before leaving the field.

Logbook pages must be provided to the department through an online reporting system or postmarked **within ten days** following any calendar month in which the training pass activity took place.





Rule Making Process

Public Comments Received

Public Comment Responses	
Support	50
Opposed	4
Offered other solution	3
Total	57



Public Comments Received

Organizational Responses Received In Support;

- Sportsman Alliance
- Northeast Washington Wildlife Group

Organizational Responses Received Not In Support;

- Humane Society of the United States

Intergovernmental Responses Received In Support;

- Point No Point Treaty Council
- Kalispel Tribe
- Stevens County Sheriff's Office



Comment Examples – In Support

“In my experience K-9 partner need ongoing training to ensure their skills are maintained and future partners are developed to prevent a lapse in coverage.”

“All of our citizens deserve the opportunity to be protected by the very best and most efficient teams we can provide especially in situations involving dangerous predators in Washington.”

“The ongoing training of these teams is of vital importance, keeping the animals focused so they remain an effective tool for the state’s management of wild, problem predators.”

“Dogs have been proven to be a very effective tool in the management of predator populations and tracking problem predators. We train all of our other enforcement, search and emergency response agencies so that they are more effective and efficient at their job, why should dogs be any different.”



Comment Examples – Opposed

“That houndsmen will chase wild cougars including females with small kittens to tree them, which puts both kittens and hounds at risk.”

The Humane Society Of the United States Letter submitted to the Commission – Received November 23rd

“Instead of utilizing valuable resources (Tax Dollars) to pay professionals to handle “problem” cougars and black bear, why not re-legalize hound hunting for both species again and the problem will take care of itself?”

“I disagree with this proposal. Instead, WDFW must support a change to the law from 1996. Then, re-open hunting with dogs. Private citizens will keep the species in check with population targets set by WDFW.”





Next Steps; Proposed WAC language

Receive and compile Public Testimony: December 7, 2020

Date of intended adoption: December 18, 2020

- Develop Logbook Reporting Tools
- Develop Affidavit & Application forms
- Implement Internal Reporting Procedures





Questions?

Thank you

