

Troopers: Snaring incident bungled; no charges expected

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The release of a wolf last March from a snaring site littered with dead caribou prompted Alaska State Troopers to investigate possible charges against biologist Gordon Haber, Tok trapper Eugene Johnson, as well as state and federal game officials.

An appearance of wrongdoing cuts across the board, according to the state prosecutor assigned to the case, but no charges will be pressed.

"Haber botched it. The trapper botched it. And the biologists botched it," observed Assistant District Attorney General Jeff O'Bryant. "It should be a total embarrassment for everybody. All of them, in a sense, came real darn close to getting charged."

Haber offers no apology for freeing the snared wolf, which wore a radio collar identifying it as a member of a pack that dens in Yukon-Charley Rivers National Preserve. The site was baited, he points out, with four caribou killed by the trapper's other snares. The troopers' investigation showed a pair of those caribou were killed as early as October, yet never reported by the trapper.

"If that's not illegal, I don't know what is," said Haber, a maverick biologist long associated with wolf-protection groups. "And if they're not going to enforce it, I just feel the state needs to throw out the whole set of permissive trapping and snaring laws."

Johnson told troopers he was operating under the assumption that it was OK to leave the dead caribou where he found them, so long as he added no new snares. He didn't bother salvaging the meat, he said, because he knew it wasn't fit for consumption. And he didn't notify Fish and Game or Fish and Wildlife Protection, the trapper said, "because I didn't feel anything was wrong or unusual."

Johnson and a friend, Terry Overly Jr., both said they deserved credit for releasing two caribou cubs they found alive in the snares.

"It is very dangerous to release these animals," Overly told investigators. "We could just shoot them or leave them, but we don't. We take the risk of injury to ourselves and release any non-target animal that is caught."

Craig Gardener, a state game biologist in Tok, said Monday that the trapper should have

See SNARING, Page A-6

SNARING: No charges expected

Continued from Page A-1

notified game officials as soon as the first four caribou were inadvertently caught. "We would have told him to pull the snares—just too many caribou in the area."

But trapping has historically been managed more loosely in Tok, O'Bryant found. "Incidental catch has been allowed to be used. Is it fair to prosecute this one guy, when he's relying on the advice of people who are supposed to know?"

Haber's actions came under scrutiny after he distributed a video showing the wolf's release along with a defiant claim of responsibility. His visits to the trapper's site on March 3 and 4 were investigated as possible violations of the law against hindering lawful trapping. The video, showing him freeing the wolf with his Leatherman tool, was regarded as potential evidence of theft.

"I don't feel it is right for another person to go into another person's set," Johnson, the trapper, told troopers. "... I would like to pursue charges against Mr. Haber."

Kevin Fitzgerald, Haber's attorney, took the position in a letter to the state this April that the carcasses made the trap set illegal.

The attorney also noted that



Gordon Haber photo

SNARED—A snared wolf stands near a caribou carcass near the Taylor Highway in March. Biologist Gordon Haber contends he was justified in releasing the wolf because use of a snared caribou carcasses as bait is illegal.

wolf in the hands of the trapper. By then, however, Haber was already chartering a helicopter.

O'Bryant said the claimed permission from Rue had no bearing on the state's decision against bringing charges.

"There was evidence both ways on that," he said.

Contrary to what trappers might imagine, Haber's mere visit to a trapping site was not il-

The wolf was located about 20 miles from the snaring site. It took three darts to subdue. Finding a 2-inch wound baring the bone along the remnants of the snare, NPS biologist John Burch and state colleague Ken Whitten decided to amputate.

"It was a judgment call not to dispatch the wolf," Whitten told troopers. He preformed the bloody operation with a Swiss