

Ashland Bear Cub

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Timeline of Events

- **March 26th** Citizen sees young bear on Highway 66 and contacts ODFW (picture taken that day).
- **April 7th**
 - **8:40 a.m.** - concerned citizen calls Chief Davies about a small bear on the highway
 - **8:50 a.m.** – Chief Davies arrives on scene in his official fire chief’s vehicle. He immediately calls 911 emergency dispatch for help from ODFW and OSP about a bear causing a public safety problem.
 - **11:01 a.m.** – Chief Davies phoned dispatch to inquire about the ETA for OSP and/or ODFW. Dispatch could not provide a concrete answer.



Timeline of Events

- For over two hours, Chief Davies waits for OSP and attempts to coax cub back to the woods – the cub continues to go back to the roadway
- OSP claims they responded, but at no time did Chief Davies see any OSP officer or vehicle
- No assistance from OSP or ODFW
- Chief Davies takes the cub to his property and holds it in a large dog crate
- OSP calls hours later and tells him to take the cub “far away.”
- Chief Davies asks about sanctuary; OSP says there aren’t any in Oregon

Timeline of Events – Waiting for help



Timeline of Events

- OSP never informed him of emergency 48-holding exemption under ORS 609.345
- OSP never told him not to find sanctuary for the cub
- OSP never offered to assist in any way



Timeline of Events

- Evening of April 7: Community members and advocates locate sanctuary in California willing to take the bear.
- Director of the sanctuary makes preparations to travel to Oregon to get the bear and drive it to the sanctuary

Timeline of Events

- April 8:
 - 12:30 p.m.: ODFW and OSP arrive, seize bear, issue Chief Davies a citation for Holding Wildlife Without a Permit; Cub killed by ODFW.
 - OSP Officer: Jim P. Collom
 - ODFW: Matthew Vargas

OREGON UNIFORM CITATION AND COMPLAINT
 Use for All Violations or Crimes Where Separate Complaint Will Not be Filed
 Files ORS 153.045 or 153.069

REGULATIONS: (see A below) (see B below) (see C below) **WILDLIFE**

STATE OF OREGON
 CITY/TOWNSHIP PUBLIC BODY OREGON STATE POLICE
 COUNTY OF JACKSON
 Case No. 8921-20088
 Court JACKSON CO CIRCUIT COURT

DEPENDANT The undersigned certifies and says that the following person
 ID Type DL ID No. 8388185 Base OR Ph.
 Name Last DAVIES First GENE MI
 Address 12918 HWY 86
 City ASHLAND State OR Zip Passenger
 Sex M Race W DOB 07/23/1958 Hgt. Wgt. Hair Eyes Lic. Exp. Lic. Class Emp. to Drive

TIME/PLACE At the following time and place in the above-mentioned state and county
 On or About Date/Time 04/08/2021 01:13 PM
 At or Near 12918 HWY 86
 Hgt 85 88 90 92 94 96 98 100 Other
 Highway Interstate Other

VEHICLE Involving the following
 Year Make Type Model
 Color
 Regs/Viol/Dt State
 Accident Prop. Damage Injury Endanger Other
 Cont/Viol Hear. Aid. Driver Not Reg. Chan.
 Other Com. Pass

OFFENSE(S) Do then and there commit the following offense(s):
 HWY Work Zone School Zone VEH Safety Corridor
 Radar Pace Laser Other
 Alleged Speed Designated Speed Posted Limit
 OFFENSE # 487.308
 Warning NO WILDLIFE HOLDING PERMIT - MISD
 Presumptive Fine 1 MUST APPEAR
 Intentional Knowing Reckless
 Criminal Negligence No Capable Mental State
 Offense #
 Warning
 Presumptive Fine 2
 Intentional Knowing Reckless
 Criminal Negligence No Capable Mental State
 Offense #
 Warning
 Presumptive Fine 3
 Intentional Knowing Reckless
 Criminal Negligence No Capable Mental State

OTHER

Exp.

SIGNATURE
 I certify under ORS 153.045 and 153.069 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.
 Signature of Officer *Jim P. Collom*
 Officer name 1 COLLOM, JIM, P. Officer ID 38841
 Officer name 2 Officer ID
 Agency Name OREGON STATE POLICE
 Issue Date 04/08/2021

YOUR COURT APPEARANCE DATE, TIME AND LOCATION ARE
 04/11/2021 09:00 AM
 Location JACKSON CO CIRCUIT COURT

ODFW Justifications for Killing Cub

- April 8: “Underweight and sickly.”
- April 9: “Habituated and emaciated.”
- April 12: “Too old” for rehab or sanctuary; Sanctuary placement would be “inhumane.”

California Bear Sanctuary

- Lions, Tigers, and Bears in Alpine, California
 - 93 acre sanctuary for rescued large carnivores
 - Accredited by Global Federation of Animal Sanctuaries
 - <https://www.lionstigersandbears.org/>



ODFW MEDIA STATEMENTS

- No mention of:
 - Gene Davies responding in his official capacity as fire chief to calls from concerned citizen
 - Behavior of the cub in refusing to leave roadway
 - Calls from concerned citizens about the cub prior to April 7

Gene Davies, Co-founder and Fire Chief, Greensprings RFD



Gene Davies

- Los Angeles Fire Department Communications Unit Volunteer 1980's
- Oregon State Fire Marshall Incident Management Team Communications Unit Leader early-mid 2000's
- Received OSFM Fire Service Meritorious Service Award 2008
- Co-founder and Board President, Greensprings RFD 2004
- Appointed GRFD Fire Chief in 2006
- Oregon Emergency Medical Responder
- Oversaw and personally helped with construction of new Fire Station
- Personally responded to virtually every single alarm to-date. (Approx. 1,500 calls)
- Raised over \$300,000.00 in grant funding for the Department to-date
- Notable incidents include the Oregon Gulch Conflagration: *"Chief Davies deserves all the credit in saving the residents along Copco Road. He put himself in harm's way to make sure those people were informed and taken care of... The Jackson County Sheriff's Office applauds him and his efforts."*
- Credited with perhaps saving the southern half of Ashland the day of the Almeda fire

EXCEPTION TO WILDLIFE HOLDING PERMIT REQUIREMENT

- **609.345 Exceptions to permit requirement.** (1) The requirements for a permit in ORS 609.335 and 609.341 do not apply to the following:
 - (a) A wildlife rehabilitation center operated under a valid permit issued by the State Fish and Wildlife Commission pursuant to ORS 497.308.
 - (b) A facility operated under a valid license or research facility registration issued by the United States Department of Agriculture pursuant to the federal Animal Welfare Act of 1970 (7 U.S.C. 2133 or 2136).
 - (c) An exotic animal protection organization, including humane societies and animal shelters, incorporated under ORS chapter 65, that houses an exotic animal at the written request of the state or a state agency for a period not to exceed 30 days.
 - (d) A law enforcement agency.
 - (e) A licensed veterinary hospital or clinic.
 - (f) An educational facility that houses a member of the order Crocodylia pursuant to a written request of the state, a local government or a state agency stating the need to house the member of the order Crocodylia at the educational facility.
 - (g) A person or organization that takes in an exotic animal in an emergency situation but that does not otherwise qualify for an exemption under this section. The person or organization may keep the exotic animal for not more than 48 hours during which time the person or organization must make a good faith effort to contact a law enforcement agency, the State Department of Agriculture or a wildlife rehabilitation center described in paragraph (a) of this subsection.