

The background of the page is a photograph of a golf course. In the foreground, a large deer with impressive antlers is looking towards the camera. In the middle ground, a man wearing a blue shirt and a black cap is driving a white golf cart on a gravel path. The background features lush green trees and a mountain range under a clear sky.

The Golf Course Deer

by Idaho Conservation Officer Steve Ross

ANNOUNCER ROB: Hello and welcome to our coverage of the 2014 fall golf classic in Jerome, Idaho! We have an exciting lineup of players that should make for a great tournament this year.


ANNOUNCER TOM: That's right Rob it should be quite a show! Let's get started with one of our newest contenders.

ANNOUNCER ROB: Well Tom, I can already tell this individual means business. Normally we see our golfers cruising the course in battery powered golf carts, but unless I am mistaken, this appears to be a ¾ ton diesel pulling up to the tee box!

ANNOUNCER TOM: I do believe you are correct, Tom. Nothing says serious like 34 inch mud tires. Let's just hope this doesn't signal his intent to spend a lot of time in the rough this evening.

ANNOUNCER ROB: Here he is setting up at the 4th hole, it's a long fairway shot with an incline on the approach to the green. I wonder which tool will be chosen to get the job done? Tom... is that... is that a 12 gauge shotgun I see?

ANNOUNCER TOM: Yes, Rob it is! A very unconventional choice for this layout and it looks like he is loading buckshot as well. This individual really is making a statement today with this risky move. We will just have to see how this plays out for them! Silence please for the tee off...



ON NOVEMBER 4, 2014, I received a call from our regional office about a trespass complaint. I was surprised to hear that the call came from a private country club located at the bottom of the Snake River canyon. The caller stated that they were concerned that an individual had been hunting deer on club grounds without permission. Armed with a description of the vehicle and a license plate number, I drove to the area to catch the trespasser. Little did I know that over the “course” of the next few days I would unravel a story

Imagine the sight of two wardens in full gear and a black lab charging across the club grounds in a tiny cart.



that was truly “out of bounds”. Heading to the area, I knew there was only one way in and out of this particular golf course; a private drive that curves its way down to the bottom of the canyon ending at the clubhouse. Initially I decided to wait for the potential trespasser at the top of the grade. After 30 minutes, I still had not seen the suspect vehicle and decided to make my way down the canyon. The road into the canyon is a single lane laden with several hairpin turns. Most times while traveling this road you must stop at a light which signals if it is safe to continue. To pass the light, you also pass underneath an archway which carries the words “Private Property” and “No Trespassing”. Another sign below the light tells you again that you are entering private property and there is a guard on duty. There are other numerous signs on the way to the clubhouse continually indicating private property and even another archway and locking gate before the clubhouse. Unfortunately I was not able to locate the suspect vehicle on the property at that time. On my way down the canyon however, I did notice a red shotgun

shell hull on the edge of the road near a residence. Perhaps this was related to my trespass? Since it appeared the suspect had already gone, I called the clubhouse manager to see if they had more information regarding the trespass. Through a more detailed interview, I learned that the trespasser had actually been there the previous day as well. I was also given the names and numbers of two other individuals who may have had contact with the potential violator.

I called the first number, a landowner adjacent to the country club, and he began to tell me about his dealings with someone hunting on his property as well. The prior evening on the 3rd, the landowner was in his living room when he heard a loud bang. He stated it was so loud and close that it made him jump and it shook the windows in his home. When the landowner went to investigate the blast, he found someone walking up his driveway. From his balcony the concerned landowner asked the person below what they were doing. The man below stated that he had shot a deer on the golf course earlier, followed it to this property and shot it again to put it down. The shooter then asked for permission to retrieve the animal behind this house. The landowner said he was upset with the shooter, but did not want the animal to go to waste.

The landowner allowed the shooter to retrieve the deer. When the shooter began to walk up the slope behind the house, the landowner saw a wounded deer get up and begin to move away. The landowner stated that the shooter went back to their vehicle, drove down the roadway a short distance below their home, and fired another round from the roadway. Further upset with this individual, the landowner hollered for the shooter to stop. The shooter shouted back stating he would return the following day to look for the animal, and promptly drove off. Now I knew the empty hull I found earlier was likely part of my case!

After speaking with the landowner, I called the second number on my list, a member of the country club. This individual told me they had received permission from the clubhouse manager to take group of new hunters onto the outskirts of the grounds where it is a rocky desert more suitable for hunting. While hunting on the evening of the 3rd, the club member saw something strange, a ¾ ton Chevy pickup with a motorcycle in the truck bed. The truck was parked half way off the cart path near the 4th hole. This was the farthest point that the cart paths could take you on the club grounds, and full sized vehicle travel is not something you would normally see on one of these narrow paths. The club member walked over a small hill and looked down onto the fairway of the 4th hole. The member stated they could see someone with a gun standing on the edge of the fairway, hiding behind a bush and staring at a group of deer near the green. This other hunter then laid out prone on the edge of the fairway, partially obscured by the bush in the rough. Soon after, the hunter fired three consecutive shots, apparently not hitting any of the deer as they slowly wandered off. The club member didn't recognize the shooter, and decided to introduce himself. In the conversation, the club member learned the first name of the shooter, Dustin. Dustin assured the witness that he had permission to be on the club grounds. At one point the club member asked what weapon Dustin was using to take his deer. Dustin replied, "12 gauge with double 00 buckshot." After finishing their conversation, Dustin and the club member parted ways, wishing each other luck in their hunts.

Later that evening, while leaving the club grounds, the club member noticed Dustin's pickup pulling up behind him. Not convinced that Dustin actually had permission to hunt, he allowed Dustin to pass, knowing that there is a gate at the entrance of the club grounds which gets locked when the club manager leaves for the evening. The club member thought if Dustin had a key, which very few do, then he must have permission to be there. When Dustin's truck pulled up to the gate, it stopped, and Dustin

sat there. Dustin was locked inside the property he was trespassing on! The club member approached Dustin again and asked if he had permission to be there. Dustin again stated he had permission, and he had left his gate key at home. After the club member unlocked the gate to let Dustin out, Dustin asked if any of the nearby landowners mind people shooting.

The club member thought this was an odd question, but stated they don't mind as long as you have permission to do so but only on the club grounds. Dustin then pulled ahead and parked just outside of the gate. By now, the club member was very concerned about Dustin's presence, and after locking the gate, quickly left to call the club manager and report what he had seen. It was now apparent to me that soon after the club member left to make his phone call, Dustin must have spotted another deer behind the private landowner's home and decided to continue his hunt. Dustin went trespassing a second time within minutes of being set free from the property he initially trespassed on.

By now I believed I had most of the story, I just needed some physical evidence to really make the case solid. I photographed and gathered the shotshell I found near the roadway and continued to the golf course grounds in search of more evidence on the 4th hole fairway. The 4th hole was some distance away from the main road, so to make my job easier, the golf course let me trade in my full sized truck, for a fully charged golf cart. What a sight, a game warden in his golf cart, touring the greens in full duty gear. All I was missing was the blue spinning roof light. At one point a golfer noticed me and shouted "Quick, hide the fish!" I laughed and hollered, "You better put those back in the hazard! And fix your divots too, I'm watching!" When I arrived at the 4th fairway I unfortunately was not able to find any more empty hulls. I decided I would call on one of my coworkers, who had a partner that specialized in locating this type of evidence. Officer Jim Stirling and his



K9 partner Pepper could definitely help me find what I was looking for.

When Officer Stirling arrived at the golf course, I filled him in on the case so far. While at the entrance of the golf course we located some blood and a drag trail. Officer Stirling and I followed the blood trail downhill from the cart path to the fresh gut pile of a deer. A closer inspection of the area revealed another red, 12 gauge, 00 buckshot hull. This shell was the same brand as the one I had found earlier on the roadway. I took photos of Officer Stirling standing near the gutpile to illustrate the proximity to the cart path and the golf course clubhouse. In one of the photos you can clearly see the clubhouse behind Officer Stirling. Whoever shot this deer was shooting directly at the clubhouse on a day when the grounds were bustling with club members, the shooter was lucky to only have struck the deer. After gathering the evidence from this location, Officer Stirling and I continued back to the 4th fairway in search of more evidence.

Now, it was funny to see one game warden patrolling in a golf cart, but imagine the sight of two wardens in full gear and a black lab charging across the club grounds in a tiny cart. It was a big rolling mass of green and grey with black fur. Our elbows, knees and tails were sticking out in every direction as we barreled down the fairways in the



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little cart. At the 4th fairway, Pepper quickly indicated on the spot I had been searching previously. Unfortunately, another search of the area still revealed no shotshells. Officer Stirling said it was possible Pepper was picking up on the powder residue that was discharged from the shotgun the day before. Continuing the search inside the fairway, I found pieces of 3 cardboard wads, red on one side with "00" printed in black letters. This evidence supported the account of my witness that Dustin was in that area when he fired 3 times at a group of deer. Officer Stirling suggested our next step should be to investigate the area near the private residence to see if Pepper can find any more evidence there.

Officer Stirling set Pepper loose to search the area outside of the home. Within a few minutes, Pepper indicated on an area at the top of a set of metal stairs. The bottom of these stairs ended in a gravel parking lot below the homeowner's house. The top of these stairs led into the homeowner's front lawn and garage. When searching the area where Pepper indicated, I found another red 12 gauge 00 buckshot hull and "00" wad in the homeowner's lawn. Again, the same size and brand found at the other location where Dustin had been seen, and where we found the gut pile.

The day after my initial investigation, I set out to find the deer taken from the golf course. After a few quick calls to some local butcher shops I was able to find a deer with Dustin's tag on it. Visiting the butcher's shop I was able to verify the deer with Dustin's tag was shot with buckshot and his tag was validated for the 4th of November. Butcher shop workers who spoke with Dustin remembered that Dustin mentioned shooting the deer below the Snake River canyon west of the Perrine Bridge (the same location as the golf course). I seized the deer as evidence and left to find and interview Dustin.

After an unsuccessful attempt to reach Dustin at his home, I tried to call him on a phone number I had found on an equipment trailer near his property. This would be the only time I was able to speak with Dustin regarding the incident. Fortunately for me, he gave me exactly what I was looking for. Dustin told me he was the one who went down to the country club and that he was hunting on the grounds as well as on a private property. Dustin told me he was able to harvest a doe on November 4th on the club grounds, but insisted that he had permission to be there. Dustin's story was definitely a possibility, I just needed to know who he had permission from and he was off the hook. However, when I asked Dustin who had given him permission to hunt on the properties, he couldn't give me a name, only that it was a farmer in Eden, a nearby town. Not only did he not have the name of the person he asked, he didn't seem to want to help me find the person. When I offered to ride with Dustin to this

person's home, he adamantly declined and insisted that it was a waste of both of our time. "I am not going on a wild goose chase" "I don't have time to go to your house, get you dressed, pick you up, and drive around in the country". Ultimately, Dustin tired of my questions but before hanging up on me, Dustin threatened to sue for harassing him by calling him after business hours since, you know, criminal investigations must stop at 5 PM right? At least I was able to get a story from him that I could attempt to disprove with a little more leg work. Over the next few days, I had spoken again with the country club and discovered that there were no members associated with the club in the area Dustin told me about. With no way to support Dustin's story, I decided to charge him with trespassing, disturbing the peace, littering and the possession of an illegally taken deer.

Dustin continuously claimed his innocence throughout the case even though his story changed at least 3 more times before getting to the jury trial. At one point he even claimed that he received permission to hunt the club grounds from three cooks at the clubhouse. With some more work, I was able to speak with all of the employed cooks during those days he was hunting, and none of them could support his story.

The trial was another story in itself. Dustin decided to represent himself, the judge got an arm workout, and when it was all said and done the jury deliberated for less than 30 minutes coming back with a verdict of guilty on all charges. Dustin was trespassed and barred from contact with the country club property and their employees. He was sentenced to 180 days in jail, 175 suspended and ordered to serve 5 days on the county cleanup crew. He was sentenced \$4,300.00 in fines and fees with \$3,102.50 suspended and had his hunting and fishing privileges revoked for one year.

Dustin felt he needed the last word however, and left me a gift on the side of my truck for all the work I put into the case. It was the largest wad of chew I've ever seen stuck to the side of my door badge. A sign that I am doing my job right I guess. ☺