



2/20/12

House Ag and Natural Resources Committee

RE: HB#2709

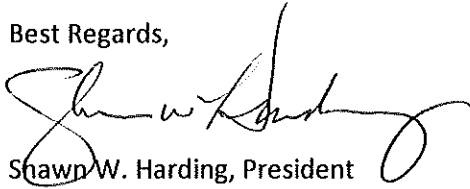
Committee Members,

Much to our dismay we find that the State record typical whitetail deer in Kansas was poached. The buck's skull and antlers were seized in Topeka at the Mossy Oak Monster Buck Classic in January. This deer beat the record set in 1974 by  $\frac{1}{2}$ " and measures an unbelievable 198+ inches of combined measurements but it doesn't meet the "Trophy Deer" guidelines for prosecuting the poacher! The current rule of 17" width between the antler beams can be achieved by young deer that won't even be recognized by the two organizations that set the standards for trophy status on North American game, the Boone and Crockett Club and The Pope and Young Club. How can we determine that a single measurement from a deer's antler growth can determine the trophy status of that animal?

This person who poached this great buck has ties to another poaching incident that cost a young man his life. Poaching is epidemic and as much as certain lobbying groups would like to eliminate a greater percentage of the deer for damages we can't allow the actions of these poacher be taken so lightly. The Kansas Bowhunters Association have paid out money from our poaching funds for an attack on a landowner in 2005 who was attacked by two poachers he caught in the act (see below). We've recently seen a trailer full of mule deer bucks (declining in numbers in Kansas) killed by Wisconsin poachers (see below). One of the largest poaching rings in Kansas short deer hunting history is ongoing and 123 bucks have been confiscated in that series of arrests. Many of those deer will meet the measurements of a "trophy deer" in all record keeping organizations but fail to meet the Kansas 17" inside spread rule (see below). What a shame.

The Kansas Bowhunters Association is in favor of greater fines and punishment for these acts of crime and support HB2709 as written without amendments. We ask that you help our Natural Resource Officers by putting some "teeth" in the laws they protect. Thank you.

Best Regards,



Shawn W. Harding, President

Kansas Bowhunters Association

## Poacher sentenced

Posted: Wednesday, September 06, 2006

By  
The Capital-Journal

CLAY CENTER -- A Clay Center man was sentenced to seven years and 11 months in prison Tuesday for crimes that escalated from a deer-poaching incident in November.

Clay County Attorney Rick James said Gene Bitler, 50, was sentenced on one count of attempted first-degree murder and seven misdemeanor offenses that included criminal hunting, deprivation of property, contributing to the misconduct of a child, fleeing and attempting to elude, taking deer in a closed season, wanton waste for leaving a deer carcass in a field, and hunting without a tag or permit.

Bitler was confronted in November by Marvin Macy, a Clay County farmer who had seen him poaching on his farm the night of Nov. 13.

During that encounter, Macy suffered cuts and stab wounds to his face, abdomen and back.

## 5 Wisconsin men accused of poaching deer in Kansas

• e-mail

• print

By Associated Press  
Dec. 9, 2010 [(49) Comments]

**Oberlin, Kan.** — Five Wisconsin men could lose their hunting privileges in Kansas after being accused of poaching deer.

Decatur County authorities say they're accused of running the deer illegally using greyhounds and vehicles.

The men were arrested in northwest Kansas on Wednesday after a wildlife officer called the sheriff's office.

The dead bucks were not tagged and had been piled on a trailer and taken into Oberlin as the men were processed in court on misdemeanor charges.

The men charged were 53-year-old John Jacobs III, 45-year-old Mark Jacobs, 26-year-old Paul Jacobs, and 23-year-old Joseph Jacobs, all of DePere, Wis., and 30-year-old John Jacobs IV of Green Bay. The Decatur County clerk's office said the men did not appear with lawyers.

The hunters were released after posting bonds totaling \$83,500.

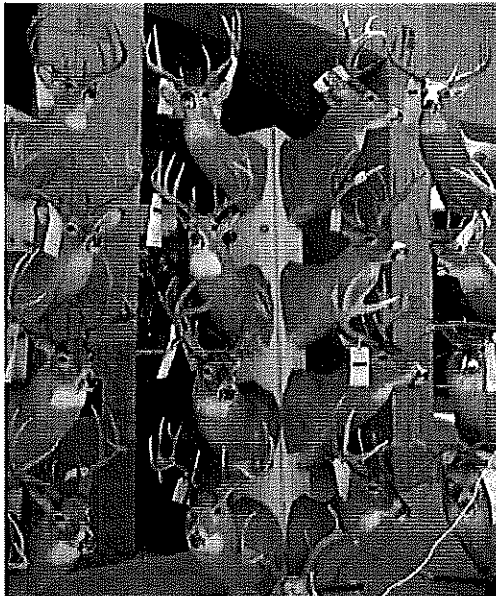
Trophy Deer Poaching Case in Kansas History - by [Alex Robinson](#)



Two Texas brothers were sentenced to a total of 5.75 years in prison and fined \$70,000 after pleading guilty in what U.S. Wildlife officials say is the largest trophy deer poaching case in Kansas history (and possibly U.S. history).

Marlin Butler and James Butler were sentenced last week after prosecutors argued that the two brothers guided up to 60 clients to illegally kill about 160 deer. The brothers participated in jacklighting deer, shooting deer in the wrong management unit, trespassing and guiding hunters without hunting licenses. While the \$70,000 in fines sounds steep, it's by no means the largest fine to be given to a poacher. To see the biggest poaching fines in U.S. history go to: [The 50 Biggest Poaching Fines in History](#).

The deer were transported over state lines, which means the Butlers could be rung up on felonies for violating the Lacey Act. The act makes it illegal to knowingly transport or sell in interstate commerce any wildlife taken or possessed in violation of state law or regulation.



"This is the largest case in the history of wildlife law enforcement in Kansas," Steve Oberholtzer, a special agent with the U.S. Fish and Wildlife Service, said in a press statement. "Trophy deer are an important resource for the state of Kansas from both wildlife and economic standpoints.

The Butlers sold deer hunts for between \$2,500 and \$5,000 and guided their clients to some true trophies. The USFWS confiscated more than 100 mounts from the brothers with bucks ranging from 120 inches to over 200 inches.

Wildlife officials are continuing to investigate the case and could charge some of the clients involved. Both brothers are appealing their sentences.

"This prosecution sends a message to everyone in Kansas and elsewhere that there will be serious consequences for those who seek to profit by violating state and federal wildlife laws, especially at the expense of those who hunt and guide lawfully," said Ignacia S. Moreno, an assistant attorney general with the Justice Department.

## Kansas man charged with poaching 14-point buck

1:30 PM Feb 12, 2012 |

Comments



From USA TODAY

WICHITA, Kan. (WTW) — A Topeka man has been charged with poaching a 14-point whitetail buck that could have broken a state record that has stood for more than 35 years, authorities said.

David V. Kent was charged Feb. 1 in Osage County with eight counts related the Nov. 11 shooting of the deer, said Mike Miller, spokesman for the Kansas Department of Wildlife, Parks and Tourism. The charges include hunting with an artificial light, hunting during a closed season, illegal hunting from a vehicle and use of an illegal caliber for deer hunting.

Kent was served court documents Monday. A message left at Kent's business Friday was not returned.

The Wichita Eagle reported that the deer was unofficially scored at 198 7/8 inches of antler on the Boone & Crockett system. Although it was measured by an official scorer, it hadn't met the waiting period of at least 60 days after the kill required to make the score official.

The state record for a typical whitetail deer shot with a gun is 198 2/8 by Dennis Finger in Nemaha County in 1974.

Kent brought the antlers, which he said came from a deer killed in northeast Kansas, to public attention at the Monster Buck Classic last month in Topeka. He was taken into custody and the antlers confiscated after he was recognized as having brought the largest typical antlers to the event.

Wildlife agents have compared the antlers to a photo that surfaced showing the buck was alive in the fall in Osage County. Agents believe the antlers came from the same deer.

This is the third Kansas buck with antlers that could qualify as a state record that isn't officially recognized.

*Copyright 2012 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed*