

Proceedings of the Arizona Game and Fish
Commission License Revocation & Civil
Assessment Hearings
Friday, May 16, 2003 – 1:30 p.m.
Manor House Conference Center
415 E. Highway 70, Safford, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman Joe Carter
Commissioner Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton
Commissioner Michael M. Golightly

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay Adkins
Asst. A.G. Jim Odenkirk

15. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Roll call was taken. Scott David Bayle was present at today's meeting.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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Scott David Bayle

Bayle was charged with A) taking wildlife (deer) without a tag; B) taking wildlife (deer) during a closed season and C) shooting from a roadway. He was found guilty in Prescott Justice Court of Counts A and B; Count C was dismissed per plea agreement. He was fined \$215 for Count A and \$200 for Count B.

Bayle was present at today's meeting. He requested that he be able to retain his small game hunting privileges. He stated nothing like this ever happened before and it would not happen again.

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF SCOTT DAVID BAYLE TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT THE AMOUNT OF \$1,335.89 FOR THE LOSS OF ONE (1) MULE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION,

BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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James Alan Pettus, Jay Lloyd Thayne and Shirl Shane Johnson

Pettus was found guilty in Moccasin Justice Court of A) taking wildlife without a license (2x2 mule deer buck); B) taking wildlife without a license (3x3 mule deer buck) and C) possessing unlawfully taken wildlife. He was sentenced to 180 days in jail, sentence suspended; fined \$5,550, suspended \$2,775, net \$2795; \$1,000 may be paid by community service at the rate of \$5 per hour and 36 months of supervised probation.

Thayne was found guilty in Moccasin Justice Court of possessing unlawfully taken wildlife (2x2 mule deer buck and 3x3 mule deer buck). He was sentenced to 10 days in jail, suspended; fined \$1,850, suspended \$1,125, net \$725 and 12 months supervised probation.

Johnson was found guilty in Moccasin Justice Court of possessing unlawfully taken wildlife (2x2 mule deer buck and 3x3 mule deer buck). He was sentenced to 10 days in jail, suspended; fined \$1,850, suspended \$1,195, net \$625; \$400 may be paid by community service at the rate of \$5.00 per hour and 12 months supervised probation.

None of the individuals was present at today's meeting. Pettus sent a letter that was received by the Department yesterday. He stated in the letter that he was having financial difficulties and expressed regret at what had occurred.

Motion: Gilstrap moved and Chilton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JAMES ALAN PETTUS TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT THE AMOUNT OF \$890.59 FOR HIS PART IN THE LOSS OF ONE (1) 2x2 MULE DEER BUCK AND ONE (1) 3X3 MULE DEER BUCK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Golightly moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JAY LLOYD THAYNE TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED

ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT THE AMOUNT OF \$890.59 FOR HIS PART IN THE LOSS OF ONE (1) 2x2 MULE DEER BUCK AND ONE (1) 3X3 MULE DEER BUCK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Chilton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF SHIRL SHANE JOHNSON TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT THE AMOUNT OF \$890.59 FOR HIS PART IN THE LOSS OF ONE (1) 2x2 MULE DEER BUCK AND ONE (1) 3X3 MULE DEER BUCK. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Melanie J. Scallo

Scallo was found guilty in Prescott Justice Court of obtaining a license by fraud and was fined \$100.

She was not present at today's meeting.

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF MELANIE J. SCALLO TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND SHE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT SHE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH BEFORE APPLYING FOR ANOTHER LICENSE TO

HUNT IN THIS STATE; FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Eric Christopher Hanley

Hanley was found guilty in Mayer Justice Court of A) taking wildlife (deer) in excess of the bag limit; B) taking wildlife (deer) in excess of the bag limit; C) possessing unlawfully taken wildlife (deer) and D) taking wrong gender (deer).

Hanley was not present at today's meeting.

Motion: Chilton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ERIC CHRISTOPHER HANLEY TO HUNT, FISH, TRAP AND GUIDE IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION TO COLLECT THE AMOUNT OF \$2,671.78 FOR THE LOSS OF ONE (1) 2x2 MULE DEER BUCK AND ONE (1) DOE MULE DEER. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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