

## **1531.16 Enforcement and prosecution of wildlife laws and rules.**

Sheriffs, deputy sheriffs, constables, and other police officers shall enforce the laws and division rules for the taking, possession, protection, preservation, and propagation of wild animals and for this purpose shall have the power conferred upon wildlife officers. Prosecution for offenses not committed in the presence of an officer shall be instituted only upon the approval of the prosecuting attorney of the county in which the offense is committed, or a municipal legal officer within his territorial jurisdiction, or upon the approval of the attorney general, and when the services of counsel are necessary, the attorney authorized by this section to approve the action and who does so shall act as attorney for the prosecution of the case.

Effective Date: 10-20-1994

## **1501:31-15-11 Deer regulations.**

### (A) Season dates

(1) It shall be unlawful for any person to hunt or take deer at any time except in accordance with this rule or any other provisions of this rule:

(a) Deer archery season is open statewide from the last Saturday of September through the first Sunday of February.

(b) Early muzzleloading deer season is open from October 17, 2011 through October 22, 2011 on the following areas: Salt Fork, Wildcat Hollow and Shawnee as described in rule 1501: 31-15-13 of the Administrative Code.

It shall be unlawful to take more than one deer during the early muzzleloader season in designated areas.

(c) Youth deer gun season is open November 19 and 20, 2011 for persons holding a valid youth hunting license and deer permit. All deer gun season rules apply to these dates with the following exceptions:

(i) It shall be unlawful for any person holding a valid youth hunting license and deer permit, regardless of age, who participates in the youth deer gun season to hunt if they are not accompanied by a non-hunting adult eighteen years of age or older.

(ii) It shall be unlawful for more than two persons holding a valid youth hunting license and deer permit to be accompanied by one non-hunting adult eighteen years of age or older.

(iii) It shall be unlawful for any non-hunting adult eighteen years of age or older who is accompanying any person holding a valid youth hunting license and deer permit to hunt or possess any hunting implements.

(iv) It shall be unlawful for the responsible, non-hunting adult, eighteen years of age or older, to allow a person holding a valid youth hunting license and deer permit to hunt unaccompanied during the youth gun season.

(d) Deer gun season is open from the first Monday after Thanksgiving through the following Sunday and the third Saturday and Sunday in December

(e) Statewide muzzleloading deer season is open from the second Saturday after New Years Day through the following Tuesday.

(f) The chief of the division of wildlife may provide a permit which allows the taking of deer from division owned or administered lands to young or handicapped hunters prior to or after the opening of deer gun season. Provided further, all provisions of this rule or any other division of wildlife rule shall apply to all persons issued said permit.

### (B) Zones and bag limits

(1) It shall be unlawful to take more than one antlered deer per license year. For purposes of this rule an antlered deer shall be any deer with antlers three inches in height or greater. An antlerless deer shall be any deer with no antlers or antlers less than three inches in height.

(2) The following counties make up deer zone A: Auglaize, Darke, Erie, Fayette, Mercer, Miami, Montgomery, Ottawa, Preble, Sandusky, Shelby, and Wood.

(a) It shall be unlawful to hunt or take more than two deer from deer zone A.

(b) It shall be unlawful to hunt or take more than one deer per license year in deer zone A under the authority of a deer permit outside of an urban unit or division of wildlife controlled hunt.

(c) It shall be unlawful to hunt or take more than one antlerless deer per year in deer zone A under the authority of an antlerless deer permit outside of an urban unit or division of wildlife controlled hunt.

(3) The following counties make up deer zone B: Allen, Ashland, Ashtabula, Butler, Champaign, Clark, Clinton, Crawford, Cuyahoga, Defiance, Fulton, Geauga, Greene, Hancock, Hardin, Henry, Huron, Lake, Logan, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Paulding, Portage, Putnam, Seneca, Stark, Summit, Trumbull, Union, VanWert, Wayne, Warren, Williams and Wyandot.

(a) It shall be unlawful to hunt or take more than four deer from deer zone B.

(b) It shall be unlawful to hunt or take more than two deer per license year in deer zone B under the authority of deer permits outside of an urban unit or division of wildlife controlled hunt..

(c) It shall be unlawful to hunt or take more than two antlerless deer per year in deer zone B under the authority of an antlerless deer permit outside of an urban unit or division of wildlife controlled hunt.

(4) The following counties make up deer zone C: Adams, Athens, Belmont, Brown, Carroll, Clermont, Columbiana, Coshocton, Delaware, Fairfield, Franklin, Gallia, Guernsey, Hamilton, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Knox, Lawrence, Licking, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Richland, Ross, Scioto, Tuscarawas, Vinton and Washington.

(a) It shall be unlawful to hunt or take more than six deer from deer zone C.

(b) It shall be unlawful to hunt or take more than three deer per license year from deer zone C under the authority of deer permits outside of an urban unit or division of wildlife controlled hunt.

(c) It shall be unlawful to hunt or take more than three antlerless deer per year in deer zone C under the authority of an antlerless deer permit outside of an urban unit or division of wildlife controlled hunt.

(5) It shall be unlawful for any person to hunt or take a deer with an antlerless deer permit at any time in deer zones A and B, outside of an urban unit or division of wildlife controlled hunt, except from the last Saturday in September through the last Sunday in November.

(6) It shall be unlawful for any person to hunt or take a deer with an antlerless deer permit at any time in deer zone C, outside of an urban unit or division of wildlife controlled hunt, except from the last Saturday of September through December 4, 2011.

(7) It shall be unlawful for any person to hunt or take more than six deer per license year from any urban unit or division of wildlife controlled hunt combined.

(C) Hunting implements

(1) Archery

(a) It shall be unlawful for any person to hunt deer with any archery equipment except;

(i) A longbow and arrow

(ii) Crossbow and arrow having a working safety and a stock twenty-five inches or longer. Cocking levers and other cocking devices may be used on crossbows.

(b) It shall be unlawful for any person to hunt or take deer while being in possession of, or take a deer with, explosive or poisoned arrows.

(c) It shall be unlawful for any person to hunt or take deer with a longbow having a draw weight less than forty pounds, or with a crossbow having a draw weight less than seventy-five pounds.

(d) It shall be unlawful for any person to hunt or take a deer with a broadhead having less than two cutting edges measuring less than three quarters inch wide.

(e) It shall be unlawful for any person hunting deer with a longbow or crossbow to possess any firearm.

(f) It shall be unlawful for any person to hunt or take a deer during the deer archery season with any hunting implement other than the archery equipment described in paragraph (C)(1) of this rule.

(2) Firearms;

(a) It shall be unlawful for any person to hunt or take deer with any firearm except:

(i) A shotgun no larger than 10-gauge or smaller than .410 caliber firing a single projectile per barrel.

It shall be unlawful for any person hunting deer to use any shell casing which is necked down or made totally of metal for any of the shotguns listed

(ii) A muzzleloading rifle or muzzleloading shotgun, .38 caliber or larger using a single projectile per barrel.

(iii) A handgun with the following criteria:

(a) Chambered for .357 caliber magnum or larger.

(b) Using a straight walled cartridge.

(c) Single barrel not less than five inches in length, as measured from the front of the cylinder or chamber to the end of the barrel.

(b) It shall be unlawful for any person hunting deer during any deer gun season, to possess any shotgun originally capable of holding more than three shells, unless the magazine has been cut off, altered, or plugged with a one piece filler incapable of removal without disassembling the gun, so as to reduce the capacity of said gun to not more than three shells in the magazine and chamber combined.

(c) It shall be unlawful for any person to hunt or take deer during the deer gun season with any hunting implement other than described in paragraph (C) of this rule.

(d) It shall be unlawful for any person to possess or carry a rifle, pistol, revolver or any other type of firearm while hunting deer or when assisting or accompanying a person that is hunting deer, during

the archery season, outside of the early muzzleloading season in designated areas, youth deer gun season, deer gun season and statewide muzzleloading season

(e) It shall be unlawful for any person to possess rifle cartridges while hunting during the early muzzleloading season in designated areas, deer gun season or the statewide muzzleloading season.

(f) It shall be unlawful to possess shotgun shells, containing shot, while hunting during the early muzzleloading season in designated areas, youth deer gun season, deer gun season from the first Monday after Thanksgiving through the following Sunday and statewide muzzleloading season except:

(i) Persons hunting waterfowl may possess shotgun shells containing non-toxic shot.

(ii) Persons hunting other legal game may possess shotgun shells containing shot not larger than number four.

(iii) It shall be unlawful for any person to hunt or take a coyotes and wild boar during the youth deer gun season or the deer gun season without using a hunting implement described in paragraph (C) of this rule.

(g) It shall be unlawful for any person hunting during the early muzzleloading season in designated areas and during the statewide muzzleloading season to possess shotgun slugs.

(h) It shall be unlawful for any person to be in possession of shotgun slugs while hunting during the youth deer gun season, except youth hunters hunting deer.

(i) It shall be unlawful for any person hunting game other than deer, coyotes or wild boar on the third Saturday and Sunday of December to possess shotgun slugs.

(j) It shall be unlawful for any person to hunt or take deer during the early muzzleloading season in designated areas or the statewide muzzleloading season with any hunting implement other than the archery equipment described in paragraph (C)(1) of this rule or a muzzleloader as described in paragraph (C)(2)(a)(ii) of this rule.

(3) It shall be unlawful for any person to possess more than one firearm, longbow or crossbow while hunting deer.

(D) Hunting methods and hours

(1) It shall be unlawful for any person to hunt or take deer during the archery season at any time except from one-half hour before sunrise to one-half hour after sunset, outside of the early muzzleloading season in designated areas, youth deer gun season, deer gun season and statewide muzzleloading season.

(2) It shall be unlawful for any person to hunt or take wild animals from one-half hour before sunrise to sunset, except deer, waterfowl, wild boar, and coyotes from the first Monday after Thanksgiving through the following Sunday.

(3) It shall be unlawful for any person to hunt or take deer, wild boar or coyotes at any time other than from one-half hour before sunrise to sunset during early muzzleloading season in designated areas, youth deer gun season, deer gun season and statewide muzzleloading season.

(4) It shall be unlawful for any person to hunt or take coyotes and wild boar from one-half hour before sunrise to sunset during the early muzzleloading season in designated areas, youth deer gun season, deer gun season and the statewide muzzleloading season without possessing both a valid hunting license and valid deer permit or antlerless deer permit.

(5) It shall be unlawful for any person to hunt or take coyotes and wild boar during the early muzzleloader season in designated areas, or the statewide muzzleloading season without using a muzzleloader as described in paragraph (C)(2)(a)(ii) of this rule or any archery equipment described in paragraph (C)(1) of this rule.

(6) It shall be unlawful for any person to possess a loaded hunting implement while going to or coming from hunting deer, wild boar or coyote at any time except between one-half hour before sunrise to sunset during the early muzzleloading season in designated areas, youth deer gun season, deer gun season or the statewide muzzleloading season.

(7) It shall be unlawful for any person to hunt or take deer, coyotes, or other wild animal except waterfowl, from one half hour before sunrise to sunset, during the early muzzleloading season in designated areas, youth deer gun season, deer gun season or the statewide muzzleloading season, unless such person is visibly wearing a vest, jacket or coveralls colored solid hunter orange, or camouflage hunter orange.

(8) It shall be unlawful for any person to hunt or take deer by the aid of dog, except wounded deer may be tracked using a dog that is leashed.

(9) It shall be unlawful for any person to hunt or take coyotes by the aid of a dog during the deer gun season from one half hour before sunrise to sunset.

(10) It shall be unlawful to use any device capable of transmitting or receiving a person's voice to aid in the hunting or taking of deer.

(11) It shall be unlawful for any person to hunt or take a deer that is in the water.

(12) It shall be unlawful for any person to construct, place, or use permanent-type tree stands, or place spikes, nails, wires, or other metal objects to hold tree stands or as steps to tree stands on any property except with the landowners' permission.

#### (E) Permits

(1) It shall be unlawful for any person to hunt or take a deer without possessing a valid deer permit or antlerless deer permit during any of the open deer seasons.

(2) It shall be unlawful for any person to hunt with or carry a deer permit or antlerless deer permit of another.

(3) It shall be unlawful for any person to hunt or take deer or aid another person in the hunting of deer, while having in their possession a hunting implement, while being solely in possession of a deer permit or antlerless deer permit from which the temporary deer tag has been detached.

(4) The fee for antlerless deer permits shall be fourteen dollars plus a one dollar writing fee.

(F) Tagging and electronic game checking – This section applies only to persons participating in and deer checked in through the electronic game checking system as permitted by the chief of the Ohio division of wildlife:

(1) It shall be unlawful to hunt or take a subsequent deer before a temporary deer tag has been attached to the previous deer taken that day.

(2) It shall be unlawful to attach a temporary deer tag to a deer taken by another person.

(3) It shall be unlawful to attach an antlerless temporary deer tag to an antlered deer.

(4) It shall be unlawful to attach or otherwise use a deer permit or antlerless deer permit on or for any deer that was taken before the permit was purchased or otherwise obtained.

(5) It shall be unlawful to manufacture, counterfeit, sell, trade, distribute, forge and/or falsify a deer permit, antlerless deer permit, or any temporary deer tag.

(6) It shall be unlawful to possess, attach, affix or otherwise use a counterfeit or falsified deer permit, antlerless deer permit or any temporary deer tag on or for any deer.

(7) It shall be unlawful to possess any deer, or part thereof, which has attached or affixed a counterfeit or otherwise falsified temporary deer tag.

(8) It shall be unlawful for any person required to have a deer permit under section [1533.11](#) of the Revised Code, after having killed a deer, to fail to immediately attach a validated temporary deer tag to the dead deer at the place where the deer fell. A temporary deer tag is considered validated when the hunter has written on the tag, legibly in the English language, the date, time and county of kill and then the temporary tag has been separated from its corresponding deer permit or antlerless deer permit.

(9) It shall be unlawful for any person exempt from having a deer permit under section [1533.11](#) of the Revised Code, to fail to immediately attach a valid temporary deer tag to the dead deer at the place where the deer fell. Persons covered by this section shall provide their own temporary deer tag. Such temporary deer tag is considered valid when the hunter has written on the tag, legibly in the English language their full name, the date, time and county of kill.

(10) It shall be unlawful to attach an invalid or voided temporary deer tag to any deer. A temporary deer tag is void after it has been used to electronically game check a deer.

(11) It shall be unlawful to use or attempt to use an invalid or voided temporary deer tag to obtain a permanent deer tag number through the electronic game check process.

(12) It shall be unlawful to remove a temporary deer tag from any deer until the deer has been electronically game checked and the temporary tag replaced with a valid permanent deer tag.

(13) It shall be unlawful to skin or remove the head of a deer until the deer has been electronically game checked and tagged with a valid permanent deer tag. It shall be lawful to eviscerate or field dress the deer prior to electronically game checking and permanent tagging.

(14) It shall be unlawful to fail to electronic game check and permanently tag a deer, taken during any open deer season, by eleven-thirty p.m. on the date the deer was killed.

- (15) It shall be unlawful to provide false information or data when electronically game checking any deer.
- (16) It shall be unlawful to electronically game check a deer that has been killed within a wild animal hunting preserve as described in section [1533.731](#) of the Revised Code.
- (17) It shall be unlawful for any person to fail to immediately and permanently attach their validated permanent deer tag to the deer after it has been electronically game checked. A permanent deer tag is validated when the owner has written in permanent ink, legibly in the English language, their assigned permanent deer tag number, the date of kill, time of kill and signed the permanent deer tag.
- (a) It shall be unlawful, after electronically game checking an antlered deer, to attach the antler/hide permanent deer tag to any location other than permanently to the deer's antlers where it shall remain unless exempted pursuant to paragraph (F)(22)(j) of this rule.
- (b) It shall be unlawful to attach an antler/hide permanent tag to any carcass.
- (c) It shall be unlawful to attach a carcass or hide permanent deer tag, from any antlerless deer permit, to any antlers or any parts of an antlered deer.
- (18) It shall be unlawful to attach an invalid permanent deer tag to any deer.
- (19) It shall be unlawful to attach a permanent deer tag to a deer or parts thereof taken by another person.
- (20) It shall be unlawful to manufacture, counterfeit, sell, trade, distribute, forge and/or falsify a permanent deer tag or permanent deer tag number.
- (21) It shall be unlawful to possess, attach, affix or otherwise use a counterfeit or falsified permanent deer tag or permanent deer tag number on or for any deer.
- (22) It shall be unlawful to possess any deer, or part thereof, which has attached or affixed a counterfeit or otherwise falsified permanent deer tag or permanent deer tag number.
- (23) It shall be unlawful to attach, affix or otherwise use a permanent deer tag or permanent deer tag number for a deer, or parts thereof, other than for the deer the tag or number was issued to at the time of electronic game checking.
- (24) It shall be unlawful for any person to leave the state of Ohio with a deer that was taken by hunting that has not been electronically game checked and the permanent deer tag permanently attached.
- (25) It shall be unlawful to attach an Ohio game check receipt to any deer or use the Ohio game check receipt in place of the permanent deer tag
- (26) It shall be unlawful to possess a dead deer, or any part thereof, unless such deer, or parts thereof, are accompanied by an attached valid tag, seal, certificate of legal ownership, statement or receipt. For the purposes of this section a valid tag, seal, certificate for legal ownership, statement or receipt for any deer, or part thereof is any one or more of the following:
- (a) A valid Ohio division of wildlife temporary deer tag, permanent deer tag or permanent deer tag number.

- (b) An Ohio division of wildlife deer damage control permit temporary tag or a receipt for deer carcass-deer damage control tag or the tag number.
- (c) An Ohio division of wildlife tag or seal issued under the authority of section [1533.74](#) of the Revised Code if the deer or parts thereof were sold for food.
- (d) A signed statement or receipt, legible in the English language, which states the previous owners name, address and phone number and the valid commercial propagation permit number if the deer or parts thereof were sold or given away under the authority of section [1533.71](#) of the Revised Code.
- (e) A certificate for legal ownership issued under the authority of section [1533.121](#) of the Revised Code.
- (f) A tag as described in division (C) of section [1533.731](#) of the Revised Code.
- (g) A signed statement or receipt, legible in the English language, which lists the owner or previous owners name, address and phone number, the state and county of kill, the date of kill and the assigned permanent deer tag number, if applicable.
- (h) An official tag or seal, and an accompanying valid hunting license issued by another state or province if the deer was killed outside of Ohio.
- (i) A valid Ohio division of wildlife food pantry stamp or seal on each package of meat distributed by a bona fide food pantry or charitable organization.
- (j) A certificate for legal ownership issued by a law enforcement officer within their jurisdiction.
- (k) A valid tag, seal, certificate for legal ownership, statement or receipt for the purposes of this rule is considered attached if it is physically affixed to the deer, or parts thereof, in the following manner:
- (i) In the case of antlers:
- (a) The valid tag, seal, certificate for legal ownership, statement or receipt must remain attached to the antlers until the deer has been processed into a taxidermy product. At this time the valid tag, seal, certificate for legal ownership, statement or receipt may be removed from the antlers and placed in another location on the taxidermy product which allows for visual inspection. However the valid tag, seal, certificate for legal ownership, statement or receipt must remain affixed permanently to the taxidermy product.
- (b) If antlers are removed from the deer, but not processed into a taxidermy product, the permanent tag may be removed from the antlers provided the permanent deer tag number is legibly written in permanent ink or inscribed on the antlers in a location which allows for visual inspection. However, the valid tag, seal, certificate of legal ownership, statement or receipt shall be maintained by the owner and available for inspection.
- (ii) When through the butchering process, multiple packages of meat are produced, the valid tag, seal, certificate for legal ownership, statement or receipt shall be maintained and available for inspection until the entire deer has been consumed.
- (iii) If through the taxidermy process multiple taxidermy products are produced the permanent deer tag must remain attached to the taxidermy product to which the antlers are connected. Any other

products from the same deer must have the permanent deer tag number written legibly in permanent ink or inscribed on the item in a location which allows for visual inspection.

(27) It shall be unlawful for any person to place or leave a deer, or any part thereof, in the custody of another person for the purpose of skinning, processing, taxidermy, transportation, shipping, storage, including temporary storage, or any other reason, unless such deer or parts thereof are accompanied by an attached valid tag, seal, certificate for legal ownership, statement or receipt.

(28) It shall be unlawful to possess a deer, or parts thereof, that were taken in violation of any division rule or the Ohio Revised Code.

#### (G) Sales

(1) It shall be unlawful to buy, sell or offer for sale any deer, or part thereof, taken from the wild, except:

Legally acquired and possessed deer hides, feet, and antlers may be bought or sold at any time. At the time of the purchase or sale these deer parts must be accompanied by a signed statement or receipt, legible in the English language, which lists the previous owner's name, address and phone number, the state of kill(s) and the assigned tag, seal, certificate for legal ownership or permit number(s), if applicable, and the number of deer, from which the said deer parts originated, that were sold during the transaction. This information must remain with these parts until said deer parts are manufactured into a wildlife ornamental product.

#### (H) Special areas

(1) It shall be unlawful for any person to possess or transport a deer off the Plum Brook station, Ottawa national wildlife refuge, or Ravenna training and logistics site unless the deer has been permanently tagged. This provision does not apply to deer legally possessed because of being killed by a vehicle on any of these areas.

(2) It shall be unlawful for any person to hunt on Plum Brook station at any time other than from eight a.m. to five p.m.

(3) It shall be unlawful for any person to hunt on Plum Brook station, Ravenna training and logistics site or Ottawa national wildlife refuge without an area permit. Such area permit shall specify the specific area assigned to the hunter on the day they are authorized to hunt and the type of deer permitted to be taken. It shall be unlawful to take or attempt to take a deer other than the type specified on the area permit. If the area permit does not specify otherwise, either antlered or antlerless deer may be taken.

#### (I) Traditional deer tagging and check

(1) It shall be unlawful to hunt or take a subsequent deer before a temporary deer tag has been attached to the previous deer taken that day.

(2) It shall be unlawful to attach a temporary deer tag to a deer taken by another person.

(3) It shall be unlawful to attach an antlerless temporary deer tag to an antlered deer.

(4) It shall be unlawful to attach or otherwise use a deer permit or antlerless deer permit on or for any deer that was taken before the permit was purchased or otherwise obtained.

(5) It shall be unlawful to manufacture, counterfeit, sell, trade, distribute, forge and/or falsify a deer permit, antlerless deer permit, or any temporary deer tag.

(6) It shall be unlawful to possess, attach, affix or otherwise use a counterfeit or falsified deer permit, antlerless deer permit or any temporary deer tag on or for any deer.

(7) It shall be unlawful to possess any deer, or part thereof, which has attached or affixed a counterfeit or otherwise falsified temporary deer tag.

(8) Each person who kills a deer shall immediately attach a tag bearing his name, address, and the date and time killed to the dead deer at the place where the deer fell and such tag shall remain attached until final inspection and permanent tagging at an official deer check station. A hunter possessing a deer permit or antlerless deer permit, other than the free deer permits issued to exempt persons, shall detach the temporary tag from his current deer permit, or antlerless deer permit and immediately attach the temporary tag to the dead deer at the place where it fell. Provided further, it shall be unlawful to remove a temporary tag from any deer until the deer has been permanently tagged.

(9) It shall be unlawful for any person to hunt or take deer or aid another person in the hunting or taking of deer, while having in their possession a hunting implement, while being solely in possession of a deer permit or antlerless deer permit purchased from the Internet and the date, time and county of kill have been filled in.

(10) Each person who obtained their deer permit, free senior deer permit, reduced price senior deer permit, antlerless deer permit or youth deer permit on the Internet and kills a deer shall immediately fill in the date, time and county of harvest on their deer permit and immediately attach a temporary tag bearing their name, address, date and time of harvest to the deer at the place where it fell.

(11) Every deer taken or possessed during any open deer season shall be delivered for inspection and permanent tagging to either an official division of wildlife deer check station or a state wildlife officer in the county where killed or an adjacent county where killed not later than eight p.m. of the following day after harvest or by eight p.m. if harvested on the last day of any deer season. A deer may be skinned and eviscerated, but the head shall not be detached from the carcass prior to presentation for final inspection and permanent tagging at an official deer check station.

(12) It shall be unlawful to permanently tag any deer in any county other than where the deer was killed, or an adjacent county where the deer was killed.

(13) It shall be unlawful to provide any false information to any person completing a deer harvest record form for the issuance of a permanent deer tag.

(14) It shall be unlawful for any person other than the person who shoots or takes a deer to present the deer to any wildlife officer or check station for permanent tagging.

(15) It shall be unlawful to deliver a deer for inspection and permanent tagging to either an official division of wildlife deer check station or a state wildlife officer, that has been killed within a wild animal hunting preserve as prescribed in section [1533.731](#) of the Revised Code.

(16) It shall be unlawful to possess a dead deer, or any part thereof, unless such deer, or parts thereof, are accompanied by an attached valid tag, seal, certificate of legal ownership, statement or

receipt. For the purposes of this section a valid tag, seal, certificate for legal ownership, statement or receipt for any deer, or part thereof, is any one or more of the following:

- (a) A valid Ohio division of wildlife temporary deer tag, permanent deer tag or permanent deer tag number.
- (b) An Ohio division of wildlife deer damage control permit temporary tag or a receipt for deer carcass-deer damage control tag or the tag number.
- (c) An Ohio division of wildlife tag or seal issued under the authority of section [1533.74](#) of the Revised Code if the deer or parts thereof were sold for food.
- (d) A signed statement or receipt, legible in the English language, which states the previous owners name, address and phone number and the valid commercial propagation permit number if the deer or parts thereof were sold or given away under the authority of section [1533.71](#) of the Revised Code.
- (e) A certificate for legal ownership issued under the authority of section [1533.121](#) of the Revised Code.
- (f) A tag as described in division (C) of section [1533.731](#) of the Revised Code.
- (g) A signed statement or receipt, legible in the English language, which lists the owner or previous owners name, address and phone number, the state and county of kill, the date of kill and the assigned permanent deer tag number, if applicable.
- (h) An official tag or seal, and an accompanying valid hunting license issued by another state or province if the deer was killed outside of Ohio.
- (i) A valid Ohio division of wildlife food pantry stamp or seal on each package of meat distributed by a bona fide food pantry or charitable organization.
- (j) A certificate for legal ownership issued by a law enforcement officer within their jurisdiction.
- (k) A valid tag, seal, certificate for legal ownership, statement or receipt for the purposes of this rule is considered attached if it is physically affixed to the deer, or parts thereof, in the following manner:
  - (i) In the case of antlers:
    - (a) The valid tag, seal, certificate for legal ownership, statement or receipt must remain attached to the antlers until the deer has been processed into a taxidermy product. At this time the valid tag, seal, certificate for legal ownership, statement or receipt may be removed from the antlers and placed in another location on the taxidermy product which allows for visual inspection. However the valid tag, seal, certificate for legal ownership, statement or receipt must remain affixed permanently to the taxidermy product.
    - (b) If antlers are removed from the deer, but not processed into a taxidermy product, the permanent tag may be removed from the antlers provided the permanent deer tag number is legibly written in permanent ink or inscribed on the antlers in a location which allows for visual inspection. However, the valid tag, seal, certificate of legal ownership, statement or receipt shall be maintained by the owner and available for inspection.

(ii) When through the butchering process, multiple packages of meat are produced, the valid tag, seal, certificate for legal ownership, statement or receipt shall be maintained and available for inspection until the entire deer has been consumed.

(iii) If through the taxidermy process multiple taxidermy products are produced the permanent deer tag must remain attached to the taxidermy product to which the antlers are connected. Any other products from the same deer must have the permanent deer tag number written legibly in permanent ink or inscribed on the item in a location which allows for visual inspection.

(17) No person shall receive, place or leave a deer, or any part thereof, in the custody of another person for the purpose of skinning, processing, taxidermy, transportation, shipping, storage, including temporary storage, or any other reason, unless such deer or parts thereof are accompanied by an attached valid tag, seal, certificate for legal ownership, statement or receipt.

(18) It shall be unlawful to possess a deer, or parts thereof, that were taken in violation of any division rule or the Ohio Revised Code.

(J) All definitions set forth in rule [1501:31-1-02](#) of the Administrative Code shall apply to this rule.

Effective: 07/01/2011

R.C. [119.032](#) review dates: 02/04/2011 and 04/22/2016

Promulgated Under: [119.03](#)

Statutory Authority: [1531.06](#), [1531.08](#), [1531.10](#), [1533.113](#)

Rule Amplifies: [1531.06](#), [1531.08](#), [1531.10](#), [1533.113](#)

Prior Effective Dates: 6 /1/76, 6/1/77, 6/1/78, 6/1/79, 6/1/80, 6/1/81, 10/16/81, 6/1/82, 5/31/83, 5/31/84, 6/1/85, 6/1/86, 11/21/86 (Emer.), 4/20/87, 9/12/87, 6/1/88, 7/1/89, 7/31/90, 8/11/91, 7/31/92, 10/31/92, 6/7/93, 6/30/94, 8/15/95, 10/10/96, 8/10/97, 8/13/99, 11/12/99, 8/1/00, 7/22/01, 7/19/02, 6/4/03, 6/30/04, 5/27/05, 7/1/06, 7/1/07, 7/1/08, 7/1/09, 7/1/2010

# DIVISION OF WILDLIFE DIRECTIVE

TO: COMMISSIONED PERSONNEL

FROM: Michael Budzik, Chief

SUBJECT: Deer Disposal

---

– **Effective**

06/01/01

**Purpose**

To provide enforcement personnel guidance with respect to the subject of this directive.

 **Statutory Reference**

1533.121 ORC, 1501: 31-15-11-Q OAC, Division of Wildlife Policy 10.

 **Resource**

Immediate Supervisor, Division of Wildlife Columbus Law Enforcement Staff

The following method of disposal shall be permitted when the driver of a motor vehicle strikes a deer and he/she doesn't claim it, or if a deer has been killed by another type of accident.

Unclaimed and unwanted deer that have been killed may be disposed of to any person, whom the wildlife officer or investigating officer (if from an outside agency) approves.

Requests for found antlers shall be handled according to Policy 10.

Division of Wildlife  
Ohio Department of Natural Resources

Policy 10  
(R0503)

**DEER CARCASS AND ANTLER DISPOSAL POLICY**

Several thousand white-tailed deer are killed accidentally in Ohio each year. Most of these mishaps occur on the highways. Under Section 1533.121 of the Ohio Revised Code, the resident driver of the motor vehicle may claim deer for consumptive purposes.

Unclaimed highway-killed deer, those lost due to other accidents, and those taken illegally, may be made available to any person and institutions for consumption. Fawn carcasses resulting from any of the above situations, including unborn fetuses, shall not be receipted to any person.

Arrangements and charges for meat inspection, processing, and storage are the responsibility of the person or organizations that receive the deer carcass.

In counties where proper organizations do not desire deer carcasses, the wildlife officer is authorized to give deer or parts of deer on a rotational basis to any person. The wildlife officer is required to provide a receipt from Form 21 for each carcass or antlers, indicating the date and the name of the person receiving the carcass or antlers.

Other law enforcement agencies investigating a vehicle-deer accident may issue their own departmental receipt in lieu of a Form 21 for each deer.

We must keep in mind that from a legal perspective all antlers, regardless of size, must be treated consistently.

1. Antlers which have been found, which have been natural sheds, may be possessed without a receipt.
2. Antlers, which are attached to a deer, will be receipted to any person if there is not sufficient evidence that the deer was illegally taken. Deer antlers receipted to an individual shall be considered legally acquired.
3. Antlers, which are receipted to an individual, shall be receipted with a hand receipt (Form 111). The officer for his/her records shall maintain a copy of this receipt.

APPROVED:

\_\_\_\_\_  
(Chief)

\_\_\_\_\_  
(Date)

Ohio Department of Natural Resources  
Division of Wildlife

Policy 37  
(R1201)

## Evidence and Forfeited Property Policy

The following policy for Evidence and Forfeited Property amplifies the Department of Natural Resources' Evidence and Property Management Directive and the Ohio Revised Code.

All employees of the Division of Wildlife shall adhere to the following guidelines for the processing of evidence and property.

The Division of Wildlife acquires items in the form of real evidence and/or property, that are not owned by the division. The method of processing real evidence and property is created by Ohio Revised Code. This policy directs the method of receiving, storing, and disposing of the items received.

Certain items may not be immediately identified as evidence or property. The employee receiving the item should exercise good judgment and protect the integrity of the item until it has been determined it does not qualify as evidence.

### I. Definitions

- A. Destroy: an act, which renders the subject useless for its intended purpose, though it does not literally demolish or annihilate it.
- B. Evidence: A perceptible thing that tends to establish or disprove a fact, including testimony, documents, and other tangible objects.
- C. EPR: Evidence / Property Room
- D. NCIC: National Crime Information Center
- E. Property: Any external thing over which the rights of possession, use, and enjoyment are exercised.
- F. Temporary Facility: Individual locker or storage device with individual access by the submitting officer.

### II. Evidence

Items considered as evidence originate from arrest actions and/or search warrants. They can also be recovered by an employee on duty or submitted by the public or other agencies. The method of obtaining the evidence does not generally alter the process for receiving the item. Custodianship shall be defined as taking charge of the evidence and does not necessarily involve the actual seizure. Commissioned officers with duties involving criminal investigations should be the primary responders for receiving evidence. This does not preclude the possibility of other employees coming in contact with evidence. The first custodianship of evidence by any employee creates the first

step in the chain of custody. Non-commissioned employees should, when possible, only protect the security of the evidence. They should not attempt to receive or seize the evidence unless the failure to act will result in the loss of the evidence. Regardless of the situation, employee and public safety will take precedence over any attempt to preserve the evidence. Commissioned officers will determine the most appropriate method of collecting and processing the evidence as discussed later in this policy or according to proper evidence collection techniques.

### III. Safety Issues on Receiving Evidence And Property

Officer safety will be the first consideration for receiving and processing evidence and property. Care will be taken by the first officer involved with the evidence item to protect other employees and persons handling it. During processing, the item shall be conspicuously identified and labeled as to the potential hazard such as flammable or biologically hazardous.

### IV. Evidence Property

- (a) All property seized as evidence shall have a Division of Wildlife evidence tag attached to it immediately at the time of seizure.
- (b) The Officer will maintain a temporary facility report of property forfeited or seized on an annual basis (January 1 through December 31). The temporary report will be submitted to the respective law enforcement supervisor by **January 10<sup>th</sup>** of each year. This form will be kept on the BCI property seized / forfeited form.
- (c) All property submitted to the permanent EPR facility shall have a **completed** evidence submission form (DNR0022) attached to the property.
- (d) All firearms submitted to the permanent EPR facility shall have an NCIC Stolen Firearms Record Check attached.
- (e) All property transferred from a permanent EPR facility to the Division of Wildlife property warehouse shall have a copy of the court order attached to it.
- (f) All officers shall issue form 111(hand receipt) when property is seized and retain two copies for their records. No property shall be returned without a court order.
- (g) All property seized by the arresting officer and ordered to be returned shall be returned by the arresting officer within the county from where it was seized. Officers are to make all arrangements for the return with the owner/user. Officer safety, will be a priority concern at all times. Officers are to utilize controlled law enforcement environments and additional officer support when deemed necessary.

**V. Property**

- (a) Property with an estimated value of less than \$50.00 may be destroyed at the temporary storage level pursuant to a court order.
- (b) The following items that have been forfeited or court ordered to the Division of Wildlife will be delivered to a permanent Division of Wildlife EPR facility within (15) days of the final court disposition.
- Firearms
  - Currency
  - Ginseng
  - Motorized Conveyance (i.e. boat, vehicles)
  - Property with an estimated value of \$50.00 or more
- (c) Property with an estimated value of more than \$50.00, that is court ordered for destruction shall be destroyed at a permanent Division of Wildlife EPR facility.
- (d) Any wild animal or parts of a wild animal received by the Division of Wildlife pursuant to a court order will be destroyed at the temporary storage facility level unless directed otherwise by the Chief of the Division of Wildlife or his designee.

Any wild animal or parts of a wild animal which appear fit for consumption and have been forfeited to the Division of Wildlife pursuant to a court order may be given to any person by the Chief of the Division of Wildlife or his designee.

- (e) Currency obtained from an investigation that involved the selling of items (i.e. wild animal parts) will be deposited to a permanent Division of Wildlife EPR facility within (15) days of the final court disposition or the close of an investigation. The EPR manager or assistant will complete Form 0430 (revenue transmittal form) and deposit it within (3) days of the receipt of any currency.
- (f) The EPR facility manager or secondary custodian shall be responsible for destroying all drugs and drug paraphernalia pursuant to the court order.
- (g) A witness must be present when evidence/property is destroyed.

**VI. Storage of Seized Property**

- (a) Property of a unique nature may be stored in a special holding facility that is equipped to provide a secure environment.
- (b) Property that is court ordered or forfeited to the Division of Wildlife and deposited at the permanent EPR facility shall then be delivered to the Division of Wildlife warehouse property room facility for storage.

- (c) All property received at the warehouse property room shall be recorded in a permanent ledger or data file. All court orders received with the property will be placed on permanent file at the warehouse.
- (d) Property received at the warehouse property room shall be inventoried if the property is issued to an employee or sold pursuant to O.R.C. 1531.06.
- (e) Drugs and drug paraphernalia must be delivered to a permanent Division of Wildlife EPR facility within (10) days after being received at a temporary facility.
- (f) Temporary facilities will not hold evidence longer than (90) days with exception of VI A, or in the case of long term investigations.

## VII. Lost/Abandoned Property

- (a) Items that are found with a value of less than \$50.00, with no identifying or traceable markings of ownership will be placed in the lost and found/property room at a Division of Wildlife temporary storage facility. Items not claimed within 12 months will either be donated, destroyed, or used by the agency. A separate lost and found log will be kept indicating the date, time, location, who found the item, and disposition of the property after 12 months.
- (b) Lost/abandoned items with an estimated value of over \$50.00 will be handled pursuant to ORC 2933.41. The recovering officer shall be responsible for initiating abandoned/lost property court proceedings. Officers shall bring lost/abandoned property with an estimated value of greater than \$50.00 to the closest Division of Wildlife EPR facility within 90 days.
- (c) Employees recovering property shall make immediate attempts to locate the owner of the lost property. The actions taken by the employee shall be documented and maintained until the final disposition of the property is made. Owners may claim recovered property, which is not contraband or not held for other purposes. Ownership identification shall be documented as part of the recovered property case. Anyone claiming ownership of the property must be able to prove ownership by either providing written documentation, photos, affidavits of ownership or by knowledge of some unique identifying marks or description. All follow-up actions attempting to locate the owner and inquiries by the citizen finding the property shall be the responsibility of the employee receiving the property.
- (d) Citizens who submit property to the Division of Wildlife and are not the owners of the property may have rights to the property if the owner cannot be located. The Division of Wildlife employee receiving the property shall document the circumstances of the recovery and obtain a detailed identification of the submitting citizen. The citizen shall be provided information enabling them to make a later claim to the property if they

desire. If the citizen does not desire any claim to the property, the Division of Wildlife employee shall obtain a signed release from the citizen forfeiting any further claim.

APPROVED

  
\_\_\_\_\_  
Chief, Division of Wildlife

12-19-01  
\_\_\_\_\_  
Date

DIVISION OF WILDLIFE, Ohio Department of Natural Resources.

Form 21  
(R1297)

**DEER CARCASS RECEIPT**

Please Print

Date	11-25-09	County	Lucas	Agency	CCSO
Sex	<input type="checkbox"/> Female	<input type="checkbox"/> Button Buck	<input checked="" type="checkbox"/> Male: Number of points 11		
Type of kill	<input type="checkbox"/> Motor Vehicle (Crash No. _____)		<input checked="" type="checkbox"/> Other Found Dead In Woods		
Name of person receiving deer Jeff Schultice					
Street address 14680 Walhonding Rd.					
City	Senoeca		State	OHIO	
Zip code			43780		
Telephone (746) 685-5205			Issuing officers name Sgt. James E. Miller		

NOTE: In accordance with 1533.121 of the ORC, the deer or parts thereof, will not be sold or given away. The recipient of the deer or any parts thereof, must have a receipt proving ownership. Otherwise possession is illegal.

Distribution of copies: White - Wildlife officer Yellow - Recipient of deer

DNR 8894

Citation No. \_\_\_\_\_ Ohio Department of Natural Resources, Division of Wildlife

Form 111  
(387)

Evidence Tag No. \_\_\_\_\_

**HAND RECEIPT**

Please Print

Full description of item(s) received (include accessories) (1) SET OF WHITE-TAILED ANTLERS R-5 PTS L-6 PTS DROP TINE ON LEFT SIDE					
Inventory No.	Serial No.	Date and Time		a.m. / p.m.	
		11/28/2009		1:01 p.m.	
Received From	Date	Received By	Date		
X REFUSED TO SIGN		J. Miller SAC	11/28/2009		
Received From	Date	Received By	Date		
Remarks (missing parts, condition, etc.) ANTLERS SEIZED FROM 14680 WALHONDING RD. FROM JEFF SCHULTICE					

Distribution of Copies: 1 - Receiving; 2 - Transferring; 3 - Records Mgt. Officer

DNR 9017

**Fitz, Ken**

---

**From:** Lehman, Jim  
**Sent:** Monday, January 11, 2010 11:00 AM  
**To:** Postlethwait, Bryan  
**Cc:** Hemming, Mark; St. Clair, Brad; Marshall, Jim; Fitz, Ken; Miller, Randy; Williams, Roby  
**Subject:** RE: Sen. Stewart Constituent Issue  
Bryan,

We have to keep in mind people will "answer shop" or make an effort to expedite service when possible. In this case Mr. Shultice was not going to be satisfied with waiting anywhere from two days to over a week (as he was told) for someone to inspect a deer that is located on his property. The answer shopping is not the problem; it's the varied answers that create the problem. The fact that Mr. Shultice found a deputy that then got permission from a DOW officer to issue the receipt solidifies the validity of the receipt. The ORC gives the deputy like authority of that of a wildlife officer in all laws and rules. If we suspected illegal activity with this deer I would have expected our response time would have been hours to days, instead of days to weeks.

We would have been justified in holding the antlers while we continue to collect evidence (statements) to prove illegal activity. Remember we make a majority of our possession cases after a deer has been tagged. We seize incident to arrest or by court order with sufficient evidence days, weeks and years after the fact. I would have to ask why the antlers were destroyed so quickly. Is this a common practice?

If you have information on someone indicating with sufficient evidence they shoot deer and then later ask for receipts to get the antlers, you may be justified in not issuing a hand receipt according to law and policy #10. The law requires us to look and handle each situation with the same burden of proof. Past violations or at the very least some credible documentation would be a plus. In this case I was told that we do not have any documentation prior, during, or after this situation, just some rumors from unnamed sources.

The fact that this occurred on his property can not be ignored. We have to be prepared to give as much leniency (benefit of the doubt) as possible for a property owner to deal with dead deer on their own property. If not we have to be prepared to deal with them ourselves in a timely manor; anything less will not hold up to public (including legislative) scrutiny.

I realize it is easier for me to evaluate the situation in a non personal way, but I feel it allows for a true evaluation.

Jim Lehman  
ODNR Division of Wildlife  
Law Enforcement Executive Administrator  
2045 Morse Road Bldg. G  
Columbus, Ohio 43229-6693  
(614) 265-7093

---

**From:** Postlethwait, Bryan  
**Sent:** Sat 01/09/2010 11:04  
**To:** Lehman, Jim  
**Cc:** Hemming, Mark; St. Clair, Brad; Marshall, Jim; Fitz, Ken; Miller, Randy; Williams, Roby  
**Subject:** RE: Sen. Stewart Constituent Issue

Please correct me if I'm wrong but there are only certain ways that someone can possess / take a deer or parts of them. They are listed below... As I read this section from 1501:31-15-11, the only way I see that

a deputy can issue a receipt for a deer is a road kill (section e). A wildlife officer could obviously do the same thing but section j gives a wildlife officer an extra way to do it, which would be our hand receipt. I guess this is the correct me if I'm wrong part, section j says "Ohio Division of Wildlife officer" period. It does not say, or officer with like authority. That section is specific. I thought it was written that way because we didn't want other officers to be able to issue receipts for deer at their discretion unless it was for road kill. 1531.16 would give a deputy the authority to enforce hunting laws, etc. but it would not make him an "Ohio division of wildlife officer," where it is written that specifically in OAC. Also, we're talking about a deer that was in Noble County. The deputy was a Guernsey County Deputy. St. Clair talked to the Noble County Sheriff about this situation. He said that a deputy does not have the authority to do what he did.

This is the situation that I tried to bring up at the last law meeting but no one seemed interested in discussing it. Obviously, if we could go backward, it would probably be handled a little differently but I think we have to remember that Shultice created this situation by "answer shopping." He left Roby a voice mail then 6 minutes later left Brad a voice mail complaining about Roby not calling him back yet. Within 2 hours, he left me a voice mail complaining about both Roby and Brad. When he didn't get me immediately, he kept "shopping." When the deputy called Roby, Roby had no knowledge that Brad was already involved.

I believe the officers in the field try to be consistent on how they handle found antlers. However, I believe policy 10 needs adjusted. When we have someone that we have information on that indicates they shoot deer and then later ask for receipts to get the antlers, we should not have to issue a hand receipt for the antlers. There are numerous other situations that arise where we should not issue hand receipts but b/c of policy 10, we do.

Anyway, thanks for listening. The section that I'm referring to is listed below.

Bryan

1501:31-15-11

(23) It shall be unlawful to possess a dead deer, or any part thereof, unless s deer, or parts thereof, are accompanied by an attached valid tag, seal, certificate of legal ownership, statement or receipt. For the purposes of this section a valid tag, seal, certificate for legal ownership, statement or receipt for any deer, or part thereof is any one or more of the following:

(a) A valid Ohio division of wildlife temporary deer tag, permanent deer tag or permanent deer tag number.

(b) An Ohio division of wildlife deer damage control permit temporary tag or a receipt for deer carcass-deer damage control tag or the tag number.

(c) An Ohio division of wildlife tag or seal issued under the authority of section 1533.74 of the Revised Code if the deer or parts thereof were sold for food.

(d) A signed statement or receipt, legible in the English language, which states the previous owners name, address and phone number and the valid commercial propagation permit number if the deer or parts thereof were sold or given away under the authority of section 1533.71 of the Revised Code.

(e) A certificate for legal ownership issued under the authority of section 1533.121 of the Revised Code.

(f) A tag as described in division (C) of section 1533.731 of the Revised Code.

(g) A signed statement or receipt, legible in the English language, which lists the owner or previous owners name, address and phone number, the state and county of kill, the date of kill and the assigned permanent deer tag number, if applicable.

(h) An official tag or seal, and an accompanying valid hunting license issued by another state or province if the deer was killed outside of Ohio.

(i) A valid Ohio division of wildlife food pantry receipt issued by a bona fide food pantry or charitable organization.

**(j) A certificate for legal ownership issued by an Ohio division of wildlife officer.**

(k) A valid tag, seal, certificate for legal ownership, statement or receipt for the purposes of this rule is considered attached if it is physically affixed to the deer, or parts thereof, in the following manner:

**From:** Lehman, Jim

**Sent:** Fri 01/08/2010 16:48

**To:** Hemming, Mark

**Cc:** St. Clair, Brad; Postlethwait, Bryan; Marshall, Jim; Fitz, Ken; Miller, Randy

**Subject:** RE: Sen. Stewart Constituent Issue

Mark,

- The “road kill” receipts were renamed in the December 1997 revision, and are now titled “DEER CARCASS RECEIPT”. They were modified to include motor vehicle and “other” category. (attached).
- Policy #10 states: (attached)

*“2. Antlers, which are attached to a deer, will be receipted to any person if there is not sufficient evidence that the deer was illegally taken. Deer antlers receipted to an individual shall be considered legally acquired.”*

*“We must keep in mind that from a legal perspective all antlers, regardless of size, must be treated consistently”. (Sometimes difficult)*

- Ohio Revised Code 1531.16, “Enforcement and prosecution of wildlife laws and rules”, states:

*“Sheriffs, deputy sheriffs, constables, and other police officers shall enforce the laws and division rules for the taking, possession, protection, preservation, and propagation of wild animals and for this purpose shall have the power conferred upon wildlife officers.”*

I spoke with Brad St. Clair today while he was in town for the strategic plan meeting. My concern is that the Guernsey County Deputy called Roby Williams prior to issuing the receipt to Mr. Shultice for approval. My other concern is that we have no documentation of any suspected wrong doing concerning this deer.

Basically, when we receive a call from someone wanting found deer antlers we either have to issue them the receipt or issue them a citation. There may be a few circumstances where we do not issue a citation (court refusal etc.), but the officer should have “sufficient evidence” to issue a citation and not a receipt. When the Deputy issued the receipt with full authority and additionally with one of our officer’s

permission, the antlers became Mr. Shultice property. If and when another officer takes the antlers they must be logged in as property or evidence and processed per our evidence/property policy.

Jim Lehman  
ODNR Division of Wildlife  
Law Enforcement Executive Administrator  
2045 Morse Road Bldg. G  
Columbus, Ohio 43229-6693  
(614) 265-7093

-----Original Message-----

**From:** Hemming, Mark  
**Sent:** Friday, January 08, 2010 2:42 PM  
**To:** Lehman, Jim  
**Cc:** St. Clair, Brad; Postlethwait, Bryan; Marshall, Jim  
**Subject:** RE: Sen. Stewart Constituent Issue

Jim,

We, Postlethwait, Marshall, and myself, have contacted and had several conversations with this individual. He found this dead/rotten large antlered deer on his property prior to Thanksgiving. He contacted Wildlife Officer St. Clair to come and look at the dead deer the day prior to Thanksgiving. Brad told him it was a low priority, he was off duty that day, but would meet with him ASAP. He wanted immediate service, due to the fact the deer, "antlers" would most likely be gone once deer season started. Mr. Shultice had a friend, who had a deputy friend, who in turn issued him a road kill receipt for the deer. Brad made contact with Mr. Shultice Friday or Saturday following Thanksgiving, and took the antlers. Mr. Shultice feels it was unjust and that he was trying to be above board, after receiving a receipt for the deer, the antlers were taken.

Brad had received information that trophy deer in this area were being shot, not recovered, and then later found to recover antlers, without reducing to bag. Although Mr. Shultice received a permit from the Sheriffs office, they have the authority to issue permits for road kill deer only and not for antlers of rotten deer found in the woods. This has been explained to him through numerous conversations. Postlethwait met with the Sheriff, explained the situation and ensured our cooperation and positive working relationship.

Mr. Shultice, contacted Jim Marshall when he didn't like the results he was receiving from D4 personnel. After conversations with officers St.Clair, Postlethwait and myself, we came to the conclusion the antlers were not going to be returned and were destroyed.

Let me know if you need further information.

Mark

-----Original Message-----

**From:** Lehman, Jim  
**Sent:** Friday, January 08, 2010 12:06 PM  
**To:** Hemming, Mark  
**Subject:** FW: Sen. Stewart Constituent Issue

Mark ?

Jim Lehman  
ODNR Division of Wildlife  
Law Enforcement Executive Administrator  
2045 Morse Road Bldg. G  
Columbus, Ohio 43229-6693  
(614) 265-7093

-----Original Message-----

**From:** Lanahan, Trish

**Sent:** Friday, January 08, 2010 10:27 AM

**To:** Lehman, Jim

**Cc:** Graham, Dave; Weaver, Tiffany

**Subject:** Sen. Stewart Constituent Issue

Hi Jim—

Sen. Stewart's aide, Tim, called regarding a constituent in Guernsey County: Mr. Jeff Shulpice, 14680 Walhonning (sp?) Rd., Senecaville, OH, apparently obtained a "salvage permit" to take a rack off a deer carcass that he discovered on his property. Mr. Shulpice obtained this permit from the Guernsey County Deputy Sheriff. DoW officer Brad Sinclair visited Mr. Shulpice after the antlers had been taken and confiscated them. Mr. Shulpice contacted the Senator's office because he is confused why he was not allowed to keep the antlers, particularly because he is not being charged with poaching or any other violation. Mr. Shulpice's phone numbers are (740) 685-5205 home and (740) 260-9000 cell.

Can you provide some background information on this issue? Any info that you can share will be helpful.

Thanks so much,  
Trish

---

***Trish Lanahan***

Legislative Liaison

Ohio Department of Natural Resources

2045 Morse Rd., Building D-3

Columbus, OH 43229

(614) 265-6874

---



(C: DG, RM, JM, MH, SWT, JL)  
**PETERS LAW OFFICE CO., L.P.A.**

**Jim W. Peters**

*Licensed: Ohio (1981); West Virginia (1983); judgejp1@sbcglobal.net*

**James L. Peters**

*Licensed: Ohio (2005); West Virginia (2006); jlpeters@1st.net*

January 28, 2010

Division of Wildlife State Headquarters  
Attn: Chief David Graham  
2045 Morse Road., Bldg G  
Columbus, Ohio 43229-6693

RE: Mr. Jeffrey Shultice -Guernsey County

Dear Chief Graham:

I have been contacted by Mr. Jeffrey Shultice in regards to an incident taking place in Guernsey County, Ohio involving the seizure of deer antlers by Officer Brad St. Clair, District 4's Noble County Wildlife Officer.

On November 24, 2009, while bow hunting in Guernsey County, Ohio, Mr. Shultice found a deceased deer on the back edge of his property. The deer was in an advanced state of decay and the body had been severely eaten away. Mr. Shultice was unable to determine any cause of death. I have enclosed several pictures for your review.

As you can see from the pictures, the deer had a very nice rack and Mr. Shultice, being an avid hunter, knew that it was necessary to obtain a Deer Carcass Permit in order to legally take possession of the antlers.

On November 24<sup>th</sup> and 25<sup>th</sup>, 2009, Mr. Shultice made several attempts to contact both Officer Brad St. Clair, and Roby Williams, District 4's Guernsey County Wildlife Officer in order to obtain a permit. Mr. Shultice received no response. However, on November 25<sup>th</sup>, 2009, Mr. Shultice was able to contact Officer St. Clair through a mutual friend. Officer St. Clair informed my client that this matter was not a priority and that he would investigate the matter when he had time.

Knowing that deer gun season would begin the following week, Mr. Shultice wanted to get the matter resolved to ensure that no one else would take illegal possession of the remains. Therefore, Mr. Shultice contacted Deputy Jason May at the Guernsey County Sheriff's Department and explained the situation to him. Deputy May informed him that he would do his best to resolve the situation that same day.

On the evening of November 25<sup>th</sup>, 2009, Deputy May came to Mr. Shultice's residence and informed him that he had discussed the issue with Officer Roby Williams and that he was informed to by Officer Williams to "take care of it."

Mr. Shultice escorted Deputy May to the back part of his property so that he could view the deer carcass. Upon viewing the carcass, Deputy May wrote Mr. Shultice a Deer Carcass Permit, a copy of which is enclosed herein for your review. Upon obtaining the permit, Mr. Shultice cut the antlers off of the deceased deer and took possession of them.

On November 28<sup>th</sup>, 2009, Mr. Shultice received a phone call from Officer Brad St. Clair who indicated that he would like to come out to his property to look at the deceased deer. Mr. Shultice informed Officer St. Clair that he has obtained a permit from the Guernsey County Sheriff's Department and that he believed the matter was resolved. Officer St. Clair said that he would still like to see the deer.

Officer St. Clair arrived at my client's residence and he asked Officer St. Clair if he would like to go see the deer first or take a look at the antlers. Officer St. Clair responded, "the antlers." My client entered his garage to obtain the antlers. Though, my client wasn't aware, Officer St. Clair closely followed behind. Officer St. Clair quickly took the antlers and exited the residence. Officer St. Clair informed my client that we has confiscating the antlers because he "didn't like the way you went about this." When questioned further, Officer St. Clair indicated that his "gut" told him something was wrong. However, when asked again if he wanted to view the deer, Officer St. Clair stated that he wasn't interested and wouldn't go look at it. Officer St. Clair wrote Mr. Shultice a receipt for the antlers, which he refused to sign.

Understandably, my client is quite upset about this incident and believes that manner in which Officer St. Clair has handled this situation is an abuse of discretion which has deprived him of property to which he was lawfully entitled. Based upon my review, I tend to agree.

As I'm sure you are aware, pursuant to O.R.C. Section 1533.121, upon investigation by an officer, an unclaimed deer may be given to another person. In this case, that person was my client, who obtained a valid permit from Deputy Jason May of the Guernsey County Sheriff's Department.

O.R.C Section 1531.16 states that "[s]heriffs, [and] deputy sheriffs...shall enforce the laws and division rules for the taking, possession, protection, preservation, and propagation of wild animals and for this purpose shall have the power conferred upon wildlife officers." Based thereon, it is clear that Deputy May had authority to issue a valid Deer Carcass Permit pursuant to O.R.C. Section 1533.121, especially when viewed in light of the fact that Deputy May had been informed by Wildlife Officer Roby Williams to handle the situation.

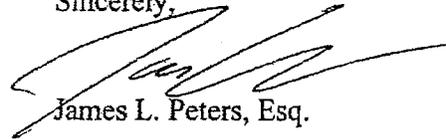
It is also clear that Officer St. Clair had no probable cause to believe that any crime had been committed with respect to the taking of the deer, or any part thereof. Officer St. Clair's "gut feeling" certainly does not meet the standard of probable cause necessary to effectuate the seizure of personal property that has occurred here.

In order to resolve this situation, we are simply asking that the antlers be returned to Mr. Shultice. Unfortunately, I have been personally informed by Field Supervisor Bryan Postlethwait that the antlers have been destroyed. If that is true, I would ask we be provided a copy of the destruction order signed by a lawful official granting the destruction of this evidence. In the event that this can not be provided, I believe it furthers our position that the antlers were not taken for any evidentiary purpose relating to any alleged criminal conduct. In addition, we would further request that ODNR investigate Officer St. Clair's handling of this matter.

In the event that we have not received a response to this matter within ten (10) days of the date of this letter, my client has authorized me to institute civil proceedings requesting reimbursement for the damages incurred from this improper taking of personal property. We will further allege that damages are equal to the restitution values as calculated to O.R.C. Section 1531.201.

Thank you for your prompt attention to this matter. Should you have any questions regarding this matter, please contact me immediately. I look forward to your response.

Sincerely,



James L. Peters, Esq.

JLP:jjp  
Encl.

CC:

client  
District 4 Manager Mark Hemming,  
Officer Bryan Postlethwait,  
Officer Brad St. Clair, and  
Officer Roby Williams  
360 E. State Street  
Athens, Ohio 45701

**DIVISION OF WILDLIFE, Ohio Department of Natural Resources** Form 21  
(R1297)

**DEER CARCASS RECEIPT**

Please Print

Date <u>11-25-09</u>	County <u>Lucas</u>	Agency <u>G.C.S.O.</u>
Sex <input type="checkbox"/> Female	<input type="checkbox"/> Button Buck	<input checked="" type="checkbox"/> Male: Number of points <u>11</u>
Type of kill <input type="checkbox"/> Motor Vehicle (Crash No. _____)	<input checked="" type="checkbox"/> Other <u>Found Dead In Woods</u>	
Name of person receiving deer <u>JEFF SCHULTICE</u>		
Street address <u>14680 WALHONDING RD.</u>		
City <u>SANAMAVILLE</u>	State <u>OHIO</u>	Zip code <u>43780</u>
Telephone <u>(740) 685-5205</u>	Issuing officers name <u>Sgt. David S. Moore</u>	

NOTE: In accordance with 1533.121 of the ORC, the deer or parts thereof, will not be sold or given away. The recipient of the deer or any parts thereof, must have a receipt proving ownership. Otherwise possession is illegal.

Distribution of copies: White - Wildlife officer    Yellow - Recipient of deer DNR 8894

Ohio Department of Natural Resources, Division of Wildlife Form 11  
(387)

**HAND RECEIPT**

Please Print

Citation No. \_\_\_\_\_ Evidence Tag No. \_\_\_\_\_

Full description of item(s) received (include accessories)  
(1) SET OF WHITE-TAILED ANTLERS R-5 PTS L-6 PTS  
DROP TINE ON LEFT SIDE

Inventory No.	Serial No.	Date and Time <u>11/23/2009</u> <u>1:01</u> <input checked="" type="radio"/> p.m.
Received From <input checked="" type="checkbox"/> REFUSED TO SIGN <input checked="" type="checkbox"/>	Date	Received By <u>[Signature]</u> <u>11/23/2009</u>
Received From	Date	Received By

Remarks (missing parts, condition, etc.)  
ANTLERS SEIZED FROM 14680 WALHONDING RD. FROM  
JEFF SCHULTICE

Distribution of Copies: 1 - Receiving; 2 - Transferring; 3 - Records Mgt. Officer  
DNR 9017

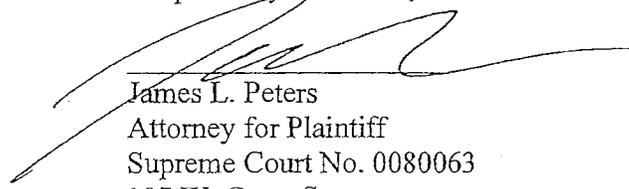


6. Defendant has, by reason of such refusal to return plaintiff's property, converted it to its own use.

7. The reasonable value of the property at issue herein is \$8,000.00 at the time Defendant's took possession of the property.

**WHEREFORE**, the Plaintiff prays for judgment against the Defendants in the sum of \$8,000.00 together with interest at the rate of interest per ORC 1343.03 per annum from the date of judgment, for reasonable attorney fees, costs of the within action and any other relief to which the Plaintiff may be justly entitled.

Respectfully submitted,



James L. Peters  
Attorney for Plaintiff  
Supreme Court No. 0080063  
107 W. Court St.  
Woodsfield, OH 43793  
Tel: 740-472-1681

IN THE COURT OF CLAIMS OF OHIO

JEFFREY SCHULTICE

Plaintiff

v.

OHIO DEPARTMENT OF  
NATURAL RESOURCES

Defendant

Case No. **2010-09931**

Judge **JUDGE JOSEPH T. CLARK**

SETTLEMENT AGREEMENT

**ORIGINAL**

FILED  
COURT OF CLAIMS  
OF OHIO  
2010 AUG 16 PM 2:55

1. This Settlement Agreement is made between Jeffrey Schultice hereinafter Plaintiff, and Ohio Department of Natural Resources hereinafter Defendant.
2. Plaintiff has asserted claims against Defendant in an action now pending in the Court of Claims, captioned *Jeffrey Schultice v. Ohio Department of Natural Resources*, and identified as Ohio Court of Claims Case **2010-09931**
3. This Settlement Agreement is made as a compromise between the parties for the complete and final settlement of their claims, differences and causes of action with respect to the disputes described above.
4. It is understood by Plaintiff and Defendant that the facts upon which this Settlement Agreement is made may hereafter prove to be other than or different from the facts now known by either of them or believed by either of them to be true. Each of the parties hereto expressly accepts and assumes the risk of the facts proving to be so different, and each of the parties hereto agree that all the terms of this Settlement Agreement shall be in all respects effective and not subject to termination or rescission by reason of any such difference in facts.
5. The parties agree that the terms of this compromise and Settlement Agreement bind the parties hereto, and their assigns and successors in interest.
6. Plaintiff understands that this settlement is a compromise of disputed claims and payment thereof is not to be construed as an admission of liability on the part of Defendant.
7. This Settlement Agreement and Release of All Claims contains the entire agreement between the parties with regard to the matters set forth herein. There are no other understandings or agreements, verbal or otherwise, in relation thereto, between the parties except as expressly set forth herein.

**CERTIFICATION**  
I hereby certify that this page is a true copy of the original

**ON COMPUTER**  
of Claims of Ohio  
Signature and date on last page

8. In consideration of the mutual covenants set forth herein, the parties agree as follows:

A. Defendant agrees to pay Plaintiff the sum of Five Thousand Dollars and 00/100 cents. (\$5,000.00). No interest on this amount shall be paid. No representation is made by Defendant as to the tax consequences of payment of the amount specified in this paragraph.

B. Plaintiff agrees that all claims, demands, rights, causes of action, costs, loss of services, expenses, and any and all other damages on account of, or in any way arising out of the actions or inactions of the State of Ohio, the Ohio Department of Natural Resources and their trustees, officers, employees, servants, or agents, during or arising out of the incident described in the complaint in Court of Claims Case No. \_\_\_\_\_ released, settled, satisfied, discharged and compensated.

2010-09931

9. Plaintiff agrees to be bound by a journal entry dismissing with prejudice the above-described claims known as Ohio Court of Claims Case No. \_\_\_\_\_ and the attached release of all claims.

2010-09931

10. The parties hereto acknowledge and agree that this Settlement Agreement shall not be binding on any of the parties until it has been duly presented to the Ohio Attorney General, as required by Section 2743.15(A), Ohio Revised Code, and Rule 7(A) of the Rules of the Court of Claims, for the Attorney General's approval, and the Ohio Attorney General has approved the Settlement Agreement. The parties further acknowledge that the signature of the Assistant Attorney General on this Settlement Agreement is on behalf of Defendant and is not to be construed as the approval of the Attorney General. If the Attorney General shall fail or refuse to approve the Settlement Agreement, this Settlement Agreement shall be null and void and without any force or effect, and none of the parties shall be bound thereby.

11. The parties hereto acknowledge and agree that this Settlement Agreement shall not be binding on any of the parties until it has been duly presented to the Ohio Court of Claims as required by Section 2743.15(A), Ohio Revised Code, and Rules 7(A) and (B) of the Rules of the Court of Claims, for the Court's approval, and the Court has approved the Settlement Agreement. If the Court shall fail or refuse to approve the Settlement Agreement, this Settlement Agreement shall be null and void and without any force or effect, and none of the parties shall be bound thereby.

12. The undersigned have read this Settlement Agreement, understand all its terms, if signing on behalf of a principal, have authority to sign settlement documents on its behalf, and have executed this Settlement Agreement voluntarily.

**CERTIFICATION**

I hereby certify that this page is a true copy of the original

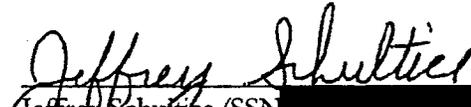
Clerk of the Court of Claims of Ohio

Signature and date on last page

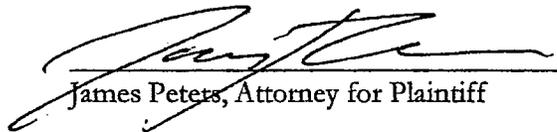
2010-09931

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on the day and date indicated below their respective signatures.

8-3-2010  
DATE

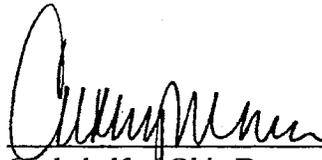
  
Jeffrey Schultice (SSN [REDACTED])  
Plaintiff

8-3-2010  
DATE

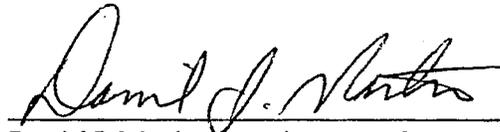
  
James Petets, Attorney for Plaintiff

FILED  
COURT OF CLAIMS  
OF OHIO  
2010 AUG 16 1 PM 2:55

8/6/2010  
DATE

  
On behalf of Ohio Department of Natural Resources  
Defendant

8-6-2010  
DATE

  
Daniel J. Martin, Asst. Attorney Gen.  
Counsel for Defendant

8-12-2010  
DATE

  
Amy S. Brown, Asst. Attorney Gen.  
Counsel for Defendant

CERTIFICATION

I hereby certify that this page is a true copy of the original  
Clerk of the Court of Claims of Ohio  
Signature and date on last page

**RELEASE OF ALL CLAIMS**

The undersigned, Jeffrey Schultice, in consideration of Five Thousand Dollars and 00/100 cents (\$5,000.00), and in settlement of Ohio Court of Claims Case No. **2010-09931** entitled *Jeffrey Schultice v. Ohio Department of Natural Resources*, voluntarily and knowingly executes this Release with the express intention of effecting the extinguishment of obligations herein designated.

Plaintiff does hereby release, hold harmless from any liability, and forever discharge the State of Ohio, the Ohio Department of Natural Resources and their agents, servants, employees, trustees and officers, personally and in any other capacity, from any and all claims, actions, causes of action, demands, costs, loss of services, expenses, and any and all other damages which the undersigned ever had, now has, or may have, or claim to have, against the State of Ohio, Ohio Department of Natural Resources and their agents, servants, employees, trustees and officers, on account of or in any way arising out Ohio Court of Claims Case No. **2010-09931**

This Release of All Claims and the Settlement Agreement constitute the entire agreement between the parties hereto, and the terms of this Release are contractual and not a mere recital.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of August, 2010.

*Jeffrey Schultice*  
Jeffrey Schultice (SSN: [REDACTED])  
Plaintiff

FILED  
COURT OF CLAIMS  
OF OHIO  
2010 AUG 16 PM 2:55

Sworn to and subscribed in my presence this 3rd day of August, 2010.



JAMES L. PETERS, ATTORNEY AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.

*[Signature]*  
NOTARY PUBLIC

**CERTIFICATION**

I hereby certify that this page is a true copy of the original

Clerk of the Court of Claims of Ohio

Signature and date on last page

IN THE COURT OF CLAIMS OF OHIO

JEFFREY SCHULTICE

Plaintiff

v.

OHIO DEPARTMENT OF  
NATURAL RESOURCES

Defendant

Case **2010-09931**

Judge **JUDGE JOSEPH T. CLARK**

ATTORNEY GENERAL'S  
APPROVAL OF SETTLEMENT

The Ohio Attorney General, pursuant to Section 2743.15(A) and 109.04 of the Ohio Revised Code, has reviewed the Settlement Agreement in the above-captioned action and hereby approves it this 13 day of August, 2010.

FILED  
COURT OF CLAIMS  
OF OHIO  
2010 AUG 16 PM 2:55

RICHARD CORDRAY  
Ohio Attorney General

*Paula Luna Paoletti*

PAULA LUNA PAOLETTI  
Assistant Attorney General  
Court of Claims Defense  
150 East Gay Street, 18<sup>th</sup> Floor  
Columbus, OH 43215-4220  
(614) 466-7447

CERTIFICATION

I hereby certify that this page is a true copy of the original  
Clerk of the Court of Claims of Ohio  
Signature and date on last page



FILED  
COURT OF CLAIMS  
OF OHIO

Court of Claims of Ohio

The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, OH 43215  
614.387.9800 or 1.800.824.8263  
www.cco.state.oh.us

2010 AUG 25 AM 9:43

JEFFREY SCHULTICE

Plaintiff

v.

OHIO DEPARTMENT OF NATURAL  
RESOURCES

Defendant

Case No. 2010-09931

Judge Joseph T. Clark

JOURNAL ENTRY APPROVING  
SETTLEMENT

The court, being fully advised as to the premises, approves and confirms the settlement agreement entered into by and between the parties and ORDERS the cause be DISMISSED with prejudice to all parties. Court costs are assessed against defendant. No interest shall be paid on the amount of the settlement.

It is further ORDERED that the settlement warrant of \$5,000 be drawn on the account of the Ohio Department of Natural Resources and be sent to plaintiff, c/o James L. Peters, attorney for plaintiff.

JOSEPH T. CLARK  
Judge

cc:

James L. Peters  
107 West Court Street  
Woodsfield, Ohio 43793

SJM/cmd

**CERTIFICATION**  
Amy S. Brown  
Assistant Attorney General is a  
true copy as the original. 18th Floor  
150 East Gay Street  
Columbus, Ohio 43215-3130  
Clerk of the Court of Claims of Ohio

Signature: \_\_\_\_\_ Date on last page  
By: ASSISTANT CLERK  
Date: 8/25/10

**JOURNALIZED**



## Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

DAVID MUSTINE, DIRECTOR

## Ohio Division of Wildlife

David B. Lane, Chief  
2045 Morse Rd., Bldg. G  
Columbus, OH 43229-6693  
Phone: (614) 265-6300

June 6, 2011

Gary Obermiller, Chief  
ODNR Office of Law Enforcement  
2045 Morse Road, Bldg D-3  
Columbus OH 43229-6693

Dear Chief Obermiller,

In response to your recent request for copies of any evidence tags, evidence logs or associated records regarding Wildlife Office Brad St. Clair's seizure of antlers from Mr. Shultice, I respectfully submit the attached copy of a Form 137 Evidence Property Tag and a Form 111 Hand Receipt.

Let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth J. Fitz".

Kenneth J. Fitz  
Program Administrator  
Law Enforcement

KJF/s  
Enc.

Ohio Department of Natural Resources, Division of Wildlife

Form 137  
(R287)

EVIDENCE PROPERTY TAG

Citation No. \_\_\_\_\_ Case No. \_\_\_\_\_

Evidence description (1) SET OF WHITE-TAILED DEER ANTLERS  
(RIGHT - 5 PTS LEFT - 6 PTS INCLUDING 1 DICE TINE)

Place evidence seized 14680 WALKENDING RD SENECAVILLE, OH 43780

Date and time of seizure 11/27/09 101 a.m.  
p.m.

Suspect JEFF SCHULTICE Offense FOUND DEER DEAD IN WOODS

Address 14680 WALKENDING RD SENECAVILLE, OH 43780

Evidence seized by P. M. GILL (#1492) WILDLIFE OFFICER

DNR 8900

(signature and title)

Citation No. \_\_\_\_\_ Ohio Department of Natural Resources, Division of Wildlife Form 111  
Evidence Tag No. \_\_\_\_\_ **HAND RECEIPT** (387)  
Please Print

Full description of item(s) received (include accessories)  
(1) SET OF WHITE-TAILED ANTLERS P.O. PTS L-CMS  
DROP TINE ON LEFT SIDE

Inventory No.	Serial No.	Date and Time	a.m.
		11/27/2009	1:01 p.m.
Received From	Date	Received By	Date
X REFUSED TO SIGN		J. M. [Signature]	11/27/2009
Received From	Date	Received By	Date

Remarks (missing parts, condition, etc.)  
ANTLERS SEIZED FROM 14680 WALHONING RD. FROM  
JEFF SCHULTICE  
Destroyed on 12/23/2009 @ 8:30A.M. [Signature]

Distribution of Copies: 1 - Receiving; 2 - Transferring; 3 - Records Mgt. Officer  
DNR 9017

**Property Seized or Forfeited**  
 (To be used for reports required by O.R.C. 2923.32, 2923.35, 2925.03, 2933.41, 2933.43, 2933.74, and 3719.141)

CASE NUMBER	DATE CUSTODY OBTAINED	PROPERTY DESCRIPTION	DATE OF DISPOSITION	NAME OF PERSON WHO RECEIVED PROPERTY & MANNER OF DISPOSITION	PROCEEDS
09CRB 00666	5/15/2009	OTHER	6/2/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00684	5/24/2009	OTHER	6/2/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00726	6/2/2009	LITTER/TRASH	6/16/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00079	6/2/2009	OTHER	6/15/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00750	6/4/2009	LITTER/TRASH	6/16/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00100	6/21/2009	LITTER/TRASH		BRAD M. ST. CLAIR	
09CRB 00411	7/3/2009	DRUGS	7/30/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00410	7/3/2009	DRUGS	7/22/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
09CRB 00173	10/10/2009	OTHER	10/19/2009	BRAD M. ST. CLAIR - DESTROY BY COURT ORDER	
	12/20/2009	OTHER		BRAD M. ST. CLAIR	

AUG-01-2011 03:36PM FROM-ODNR DIVISION OF WILDLIFE DIST 4

+17405899999

T-168 P.004/004 F-034

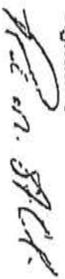
**FILING AGENCY:**  
Ohio Department of Natural Resources, Division of Wildlife

Agency Name  
ODNR Division Of Wildlife

Street Address  
360 E. State Street

City State ZIP  
Athens Ohio 45701

Telephone  
(740) 589-9992

Signature  


Title  
Wildlife Officer (#1492)

Date  
January 19, 2010

Return form to:  
Ohio Attorney General's Office, Public Affairs Section  
30 E. Broad St. - 17th Floor Columbus, OH 43215  
For inquiries, contact Martin Feldman, BCI: (614) 466-8204, Ext. 230

RECEIVED

JAN 21 2010

LAW ENFORCEMENT SECTION  
WILDLIFE DISTRICT -0319

**Nichols, Ron**

---

**From:** Obermiller, Gary [Gary.Obermiller@dnr.state.oh.us]  
**Sent:** Tuesday, August 09, 2011 4:16 PM  
**To:** Nichols, Ron  
**Subject:** FW: Message from 35C-4  
**Attachments:** S35C-411080916010.pdf

2009 report

Gary Obermiller, Chief

ODNR- Office of Law Enforcement

2045 Morse Road, Bldg. D-3

Columbus, Ohio 43229

(614) 265-7067 Office

(614) 563-7060 Cell

[Gary.obermiller@dnr.state.oh.us](mailto:Gary.obermiller@dnr.state.oh.us)

***Follow Ohiodnr***

<http://www.facebook.com/ohiodnr>

<http://www.twitter.com/ohiodnr>

<http://www.youtube.com/user/TheOhioDNR>

---

**From:** [do not reply@dnr.state.oh.us](mailto:do_not_reply@dnr.state.oh.us) [mailto:[do not reply@dnr.state.oh.us](mailto:do_not_reply@dnr.state.oh.us)]  
**Sent:** Tuesday, August 09, 2011 12:01 PM  
**To:** Obermiller, Gary  
**Subject:** Message from 35C-4

This is the entire 2009 report for Brad St. Clair

<<S35C-411080916010.pdf>>

---

This message was secured by **ZixCorp**<sup>(R)</sup>.