

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



**AGENCY: OHIO DEPARTMENT OF NATURAL RESOURCES,  
DIVISION OF WILDLIFE  
FILE ID NO.: 2012 CA-00009  
DATE OF REPORT: JULY 19, 2012**

## The Office of the Ohio Inspector General.... The State Watchdog

*“Safeguarding integrity in state government”*

The Ohio Office of the Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General’s Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that the responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the State of Ohio act with the highest of standards. It is the commitment of the Inspector General’s Office to fulfill its mission of safeguarding integrity in state government. We strive to restore trust in government by conducting impartial investigations in matters referred for investigation and offering objective conclusions based upon those investigations.

Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

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The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



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**OFFICE OF THE INSPECTOR GENERAL**

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RANDALL J. MEYER, INSPECTOR GENERAL

## REPORT OF INVESTIGATION

**FILE ID NUMBER:** 2012 CA-00009

**SUBJECT NAME:** Allan Wright  
David Warner  
Matthew Roberts

**POSITION:** Wildlife Officers

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

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Theft of time;  
Lack of supervision of employees or staff.

**INITIATED:** February 1, 2012

**DATE OF REPORT:** July 19, 2012

## INITIAL ALLEGATION AND COMPLAINT SUMMARY

On February 1, 2012, the Office of the Ohio Inspector General received a copy of a complaint sent to the Ohio Department of Natural Resources (ODNR) Division of Wildlife. The complaint was submitted in the form of an email and attached was a photograph showing seven individuals posing with seven harvested deer. Two of the individuals in the picture were identified as Wildlife Officer Allan Wright and Wildlife Supervisor David Warner. In referring to the photograph, it appeared both Wright and Warner were wearing ODNR Division of Wildlife uniforms under their camouflage jackets. The photograph had been posted on a Trophy Rock<sup>1</sup> website.

## BACKGROUND

The Ohio Department of Natural Resources (ODNR) is comprised of 11 divisions and is responsible for the development and wise use of natural resources in the state of Ohio. The ODNR Division of Wildlife is the law enforcement branch of the department charged with enforcing the hunting, fishing, and trapping laws in Ohio. The division also issues and regulates licenses and permits for the hunting, fishing, and trapping of all legal game in Ohio. For the purpose of management and administration, the Division of Wildlife has divided the state into five districts.



<sup>1</sup> Trophy Rock is a company that produces a mineral supplement used by deer hunters to attract deer and increase antler growth.

A hunting license must be obtained by anyone who wants to hunt or trap legal game in Ohio and additional permits may be required to hunt or trap specific game animals. Hunting licenses can be purchased over the Internet, by mail order, or through license sales outlets which are located in every county in Ohio.

In addition to the annual hunting license, a permit must be purchased to hunt deer in Ohio. Everyone who kills a deer must immediately complete a temporary tag, specifying the name and address of the hunter and the date and time of the kill. The temporary tag is part of the deer permit and must be tied to the deer. The deer must then be taken to an official deer check station for permanent tagging.<sup>2</sup> The check stations also generate a deer harvest report, which records the hunter's personal identifying information, characteristics of the deer, description of the weapon used, permit type, tag number, date, time, and county of harvest, and location of the check station and check county. Wildlife officers may also check in deer for permanent tagging. When wildlife officers check in deer and complete a harvest report form, each officer is required to enter their particular unit number in the field entitled "check station location." Completed harvest reports are then returned to the ODNR Division of Wildlife for statistical review in order to adjust hunting seasons, estimate herd population and assess the geographical movement of game.

ODNR Form #58 is the form used to collect deer harvest information. This form is completed by the check station personnel or wildlife officers. At the end of hunting season, all of these harvest report forms are sent to the Division of Wildlife's Athens office, where the information is transferred to a Division of Wildlife deer harvest database. The original forms are then sent back to the district office from where they originated.

Trophy Rock's website states that "Trophy Rock is an all-natural mineral lick containing more than 60 beneficial trace minerals that grow bigger antlers, healthier deer, and successful hunts." Trophy Rock is a product of Redmond Minerals Inc. of Redmond, Utah. During the spring and summer months, deer hunters place these rocks in areas where they intend to hunt during deer season, to draw deer and to promote antler growth.

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<sup>2</sup> The game check and permanent tagging requirements changed for the 2011-2012 hunting season.

## INVESTIGATIVE SUMMARY

After receiving a copy of the email and the photograph of Wright and Warner, the Office of the Ohio Inspector General contacted the complainant to obtain additional information. The complainant reported that he discovered the photo when browsing the Trophy Rock website, and identified the two individuals kneeling in the middle of the photo as Wright and Warner. He also identified Kelly Ross, Ken Ross, and Trophy Rock employee Gene Price in the photo. The photo was posted on the Trophy Rock website on December 16, 2008, and was titled “Trophy Rock hosted Deer Camp 2.” In the background of the photo is a garage with a sign mounted between the two overhead doors with the name “Wright” on it. The Office of the Ohio Inspector General later confirmed the photo was taken at Wright’s residence in Brown County.



The Office of the Ohio Inspector General asked ODNR Law Enforcement Administrator Gary Obermiller to provide copies of the payroll records, radio logs, and harvest reports<sup>3</sup> for Wright and Warner during the 2008-2009 hunting season.<sup>4</sup> Additionally, handwritten copies of the

<sup>3</sup> Deer harvest reports record hunter identification, date, time, county, deer type, and implement used to kill deer.

<sup>4</sup> Deer archery season was from September 27, 2008, through February 1, 2009, and deer gun season was from December 1 - 7, 2008, and December 20-21, 2008. Muzzleloader season was December 27-30, 2008.

harvest reports for deer checked in by Wright were obtained. As noted, all deer harvested must either be checked in at designated “check stations” or by wildlife officers. When wildlife officers check in deer and complete the required harvest form, they insert their unit number in the field entitled “check station location.” Wright’s unit number was 1582 and Warner’s unit number was 1531.

On December 4, 2008, at 10:22 a.m., Wright (1582) called the ODNR communications center by telephone to report he was “in service” and working with Warner (1531). Warner harvested his first deer of the day at 11:15 a.m. and a second deer at 5:00 p.m. Both deer were checked in by Wright at 7:00 p.m. That same day, Wright harvested his first deer at 4:50 p.m. and it was checked in by Warner at 7:00 p.m. Wright called the communications center via telephone at 7:39 p.m. and reported that he was “out of service.” Warner contacted the communications center via radio at 8:33 p.m. and reported that he was “out of service” and at home. [\(Exhibit 1\)](#) On this date, Wright and Warner had no other contact with the communications center other than to report “in service” in the morning and “out of service” that evening. ODNR payroll records show that on December 4, 2008, Wright claimed eight hours of regular time on duty and Warner claimed eight hours of regular time on duty, plus two hours of overtime.

On December 5, 2008, at 6:43 a.m., Wright (1582) contacted the communications center via his portable radio and reported that he was “in service.” At 7:50 a.m., Warner (1531) contacted the communications center via his portable radio and reported that he was “in service.” At 4:55 p.m., Wright harvested a deer. At 8:00 p.m., Warner checked in Wright’s deer and tagged it with Metal Tag #319409. (Records also revealed Wright checked in this same deer the next day, December 6, 2008, at 9:00 a.m., with the same Metal Tag #319409.) At 6:53 p.m., on December 5, 2008, Wright contacted the communications center via radio and reported that he was “out of service.” At 9:02 p.m., Warner contacted the communications center via radio and reported that he was “out of service” and at home. The only contact Wright and Warner had that day with the communications center was reporting “in service” in the morning and “out of service” that evening. ODNR payroll records show that on December 5, 2008, Wright claimed eight hours of regular time on duty plus four hours of overtime, and Warner claimed eight hours of regular time on duty plus two hours of overtime.

The job description for wildlife officers requires individuals holding that position to work a variable shift schedule. Wildlife officers are expected to work eight-hour days, five days per week, which could include nights and weekends, with rotating days off. During the busy deer gun hunting season, wildlife officers are scheduled to work during the daylight hunting hours.

The Office of the Ohio Inspector General obtained the harvest reports for the entire state of Ohio for the 2009 and 2010 hunting seasons, as well as a list of all ODNR employees. Comparing the list of employees against the 2009 and 2010 harvest reports, additional instances were discovered in which Wright and Warner were hunting during their reported work hours.

The 2009 deer gun hunting season ran from November 30 through December 6, 2009. Harvest reports revealed that on December 3, 2009, Warner harvested one deer at 7:19 a.m. in Brown County, and Wright harvested two deer, at 1:30 p.m. and 1:35 p.m., also in Brown County. All three of these deer were checked in between 5:12-5:15 p.m. by Wildlife Officer Matthew Roberts, who is assigned to Clinton County. Roberts' unit number is 1586.

Communication logs for December 3, 2009, showed Wright had no contact with the communications center; however, ODNR payroll records show that Wright claimed eight hours regular time on duty on this date. Also, on December 3, 2009, communication logs showed that Warner reported on duty at 4:35 a.m., and Roberts (unit 1586) was working with him. Warner reported off duty at 5:46 a.m.; however, ODNR payroll records show that Warner claimed eight hours regular time on duty on this date.

During the investigation, copies of ODNR's Radio and Mobile Data Communications Directives dated November 17, 2006, [\(Exhibit 2\)](#) and November 1, 2009, governing wildlife officers were reviewed. The Directive dated November 1, 2009, [\(Exhibit 3\)](#) requires wildlife law enforcement officers to:

... sign on using the mobile data computer when beginning a work period and will keep mobile status updated for the duration of the work period. At a minimum, Mobile Data equipped Officers will use mobile data to update their status hourly and/or when their work status, facility, or geographical jurisdiction changes when the officer is in the vehicle or

vessel. ... Mobile Data equipped Officers will sign off using the mobile data computer when ending a work period.

ODNR Division of Wildlife vehicles are equipped with mobile data computers which enables messaging, electronic dispatching, vehicle monitoring, and GPS-based vehicle tracking (AVL).<sup>5</sup> The Office of the Ohio Inspector General requested AVL data for the state vehicles assigned to Wright and Warner for December 3, 2009, and January 11, 2010. The AVL records for December 3, 2009, showed no activity for Wright's assigned vehicle which indicates it was not in use that day. Also, the AVL records for the same date placed Warner's vehicle just south of Wright's residence in Brown County at 5:46 a.m., when Warner reported he was off duty.

(Exhibit 4) Moreover, AVL records for December 3, 2009, showed Roberts was mobile at 7:13 a.m. and stationary at 11:27 a.m. in a Brown County field. (Exhibit 5)

The 2010 deer gun hunting season ran from November 29 through December 5. Harvest reports revealed that on December 2, 2010, Wright harvested a deer at 5:20 p.m. in Brown County which was checked in by Roberts. Communication logs showed that Wright had no contact with the communications center on this date; however, ODNR payroll records show Wright claimed four hours regular time on duty and four hours overtime. The same harvest reports showed that Warner harvested a deer at 10:00 a.m. in Brown County, which was checked in by Wright. Warner had no contact with the communications center on this date; however he claimed eight hours regular work on duty.

The December 2, 2010, harvest reports also indicated that Roberts harvested a deer in Brown County at 9:15 a.m. which was checked in by Wright. Roberts' unit log showed he reported on duty at 5:05 a.m. with Wildlife Officer Jason Keller (unit 1541), and off duty at 8:26 p.m. ODNR payroll records show Roberts claimed 10 hours regular work on duty, and Keller claimed eight hours regular work on duty plus two overtime hours. AVL records placed Roberts' vehicle in Russellville, Ohio, from 5:48 a.m. to 5:34 p.m., near Wright's residence in Brown County.

(Exhibit 6)

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<sup>5</sup> Automatic Vehicle Locator is a GPS function that tracks the vehicle's location, speed, heading, and altitude.

On May 14, 2012, Allan Wright<sup>6</sup> was interviewed regarding his participation in hunting while on duty during the 2008, 2009, and 2010 deer gun seasons. Wright was shown the harvest reports, communications records and payroll records related to his hunting on duty. Wright admitted he hunted while on duty (reflected on his payroll records) numerous times and added he did so not just during deer season, but also hunted turkey and squirrel during his on-duty work hours. Wright said Warner hunted with him while on duty many times. Wright said it was common for them to hunt while wearing their uniform pants, but they would usually take off their uniform shirt and gun belt in his garage. When they finished hunting, they would get dressed again in full uniform in his garage.

Wright was asked why he did not follow the division's communications policy by signing on and off duty using the mobile data computer or updating his status hourly. Wright said he was unaware of that policy requirement. Wright was then asked why he and the other officers were not worried about being questioned about hunting on duty. Wright said "unless Dave [Warner] would tell them or they would ask, they wouldn't know." Wright also commented "there was no oversight."

On May 15, 2012, wildlife officers Jason Keller and Matt Roberts were contacted by the Office of the Ohio Inspector General and a date and time was set for each officer to be interviewed. Subsequently, the Office of the Ohio Inspector General received a telephone call from Paul Cox, the chief counsel of the Ohio Fraternal Order of Police, who reported that Keller and Roberts would not be appearing for any interviews.

On May 16, 2012, Wildlife Officer Supervisor David Warner was contacted by the Office of the Ohio Inspector General to arrange a date to be interviewed. Warner said he would check his schedule and provide a date when he would be available. On May 17, 2012, Warner left a voicemail message with the Office of the Ohio Inspector General advising that he was declining to be interviewed.

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<sup>6</sup> In October 2011, Wright's employment agreement was terminated by the ODNR Division of Wildlife for other criminal violations.

**Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe wrongful acts or omissions occurred in these instances.**

## **CONCLUSION**

The Office of the Ohio Inspector General initiated an investigation after receiving a copy of a complainant's email and a photograph of two wildlife officers, Allan Wright and Officer Supervisor David Warner, who appear to be in their uniforms, posing with other hunters and harvested deer. The photograph was posted on the Trophy Rock website on December 16, 2008. The investigation reviewed ODNR Division of Wildlife payroll records, communication and radio logs, and the 2008 deer harvest reports for Wright, Warner, and others. From this review, the Office of the Ohio Inspector General determined that, during the 2008 deer gun season, Wright and Warner were hunting while on duty.

Because of what was discovered regarding Wright's and Warner's actions in 2008, the investigation was expanded to obtain the harvest reports, payroll records, communication logs, and vehicle locator records for 2009 and 2010 involving Wright and Warner. From this review, the Office of the Ohio Inspector General determined that, during the 2009 and 2010 deer gun seasons, Wright and Warner were hunting while on duty. The investigation also revealed that Wildlife Officer Matthew Roberts also hunted while on duty during the 2010 deer gun season.

Additionally, during deer gun hunting season, which is the busiest time of the year for wildlife officers, the communication records for December 4, 2008, show neither Wright nor Warner reported to the communications center during the course of their scheduled work day. Though the communications directive requires wildlife officers to report their status hourly to the communications center, there is no policy to address a situation where there is no communication for long periods of time from wildlife officers on duty. In this case, Wright and Warner only reported on duty early in the morning and off duty in the evening with no communication traffic throughout the day.

By not enforcing the ODNR Radio and Mobile Data Communications Directive, the ODNR Division of Wildlife allowed the wildlife officers to be unaccountable, with little or no

supervision or oversight, thus enabling the wildlife officers to be hunting rather than attending to their enforcement duties. Without the department's communications center establishing the officers' specific locations throughout the on-duty work period, and especially during one of the most active gun seasons of the year, the question remains whether the wildlife officers could have responded to a potential emergency.

The absence of regular radio communication also presents an officer safety issue. If a wildlife officer were unconscious, incapacitated and unable to operate a radio, the department's failure to mark any wildlife officer's position for long periods of time could pose serious consequences.

After reviewing voice and data communication records and policy, payroll records, AVL records, and harvest reports, the Office of the Ohio Inspector General finds that:

- Wright and Warner were hunting while on duty in 2008, 2009, and 2010.
- Roberts was hunting while on duty in 2010.
- Wright, Warner, and Roberts did not follow the ODNR communications directive by failing to sign on at the beginning of work periods, to sign off at the end of work periods, and to update their status on an hourly basis.
- The ODNR communication directive does not address what action will take place when wildlife officers do not update their status hourly.
- Wildlife officers are not held accountable for their time and activity.

At the time of this investigation, the harvest reports for the 2011-2012 deer season had not been completed. In August of 2011, Allan Wright was terminated from his position by ODNR for other violations not related to this investigation.

### **RECOMMENDATION(S)**

The Office of the Ohio Inspector General makes the following recommendations and asks the Ohio Department of Natural Resources to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio Department of Natural Resources should:

1. Internally review the actions of all employees involved to determine whether their conduct warrants further administrative action or training.
2. Review the communication policy with all personnel to insure compliance.
3. Increase monitoring of on-duty ODNR Division of Wildlife enforcement officers to adequately ensure safety and accountability.

### **REFERRALS**

The Office of the Ohio Inspector General has forwarded an investigative referral packet to the Brown County Prosecutor for consideration.

**[\(Click here for Exhibits 1-6 combined\)](#)**



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RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Department of Natural  
Resources, Division of Wildlife**  
**FILE ID #: 2012 CA-00009**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared  
by the Office of the Ohio Inspector General pursuant to Section 121.42 of the  
Ohio Revised Code.**

A handwritten signature in black ink, appearing to read "Jill Jones".

**Jill Jones  
KEEPER OF RECORDS**

**CERTIFIED  
July 19, 2012**

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