

Official: Humane killing of wildlife is legal in Oregon

HENRY MILLER Statesman Journal

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Residents can put critically injured wildlife out of its misery, but they need to let law enforcement know as soon as they've done it.

Lt. Dave Cleary of the Oregon State Police Fish and Wildlife Division said a Sept. 6 letter to the editor in the Statesman Journal has caused heartburn.

Delpha Daniel of Falls City wrote that when a driver reported that a deer had been hit by a car and was badly injured and suffering, they were told by someone at the Polk County Sheriff's office to wait for deputies.

And, she wrote, they were told that they could face prosecution for dispatching the animal.

"As we waited on the road for help to arrive, the minutes stretched into hours," the letter says.

"The deer, both its back legs shattered with the bones protruding through his skin, suffered in agony for six hours as our calls for help went ignored. He died just a few minutes before a state Fish and Game representative arrived at 1 p.m."

Cleary said he didn't want to place blame or accuse anyone, but whoever told the person they couldn't dispatch the deer was wrong.

Citing section 496.016 of the "Oregon Wildlife and Commercial Fishing Codes":

"Nothing in the wildlife laws is intended to prohibit any person from killing any crippled or helpless wildlife when the killing is done for humane purposes.

"Any person so killing any wildlife shall immediately report such killing to people authorized …" Cleary quoted, adding. "So there is a statute that covers people doing a humane kill."

The one detail to make such humane killing legal is that you have to report it immediately.

"Because the problem is that if he does something and drives off and somebody sees it, we're going to know right away," Cleary said. "Maybe he doesn't have his cell phone. And he goes home and calls us.

"But if he waits 24 hours, we may already be knocking on his door, because it looks suspicious."

The letter to the editor sparked questions and comments, including his wife getting quizzed shortly after it was published.

"I've gotten some questions and e-mails like, gee, if you guys aren't going to respond, it just seems weird to make those critters suffer," Cleary said.

You don't, he said.

Unless you are unable or unwilling to put the animal out of its misery.

"Some people say 'I don't have the means,' or 'I don't feel comfortable,' and they won't," Cleary said.