

BRAGGING GETS YOU A \$30,000 FINE

(Rock River Poaching Case)

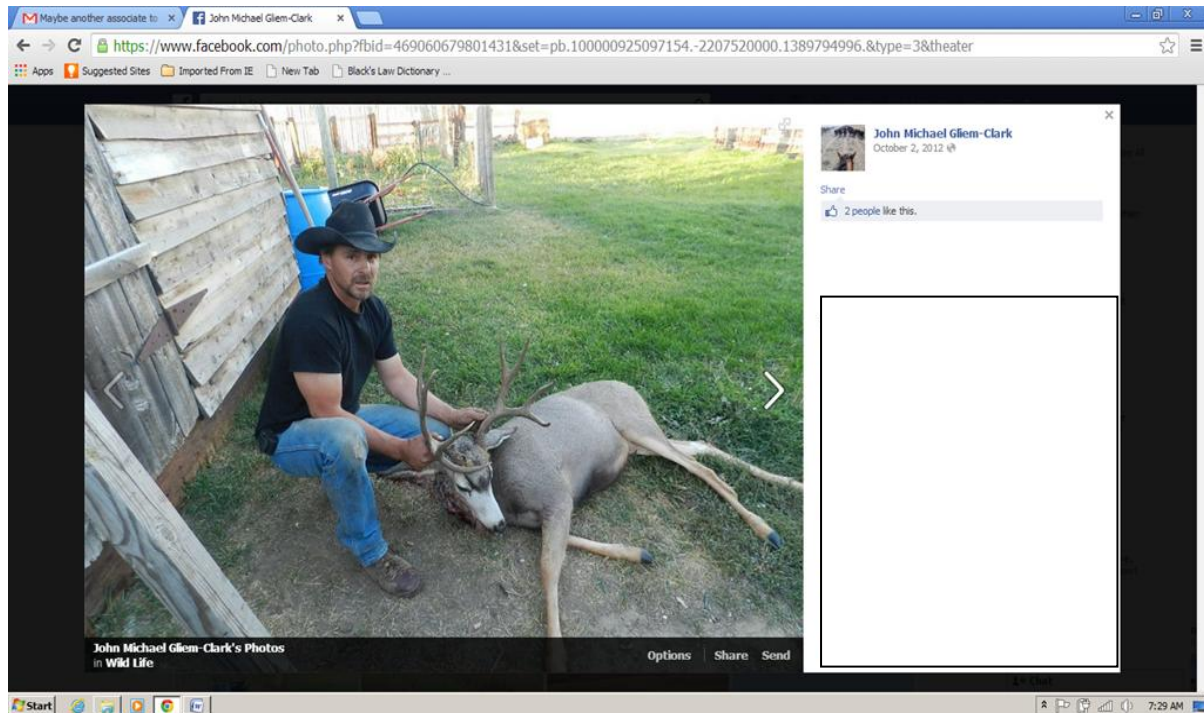
On December 4 2013, South Laramie Game Warden Kelly Todd received a STOP POACHING report stating an individual named **Kenneth Vailes** shot an antelope in November 2013 and it was documented with photos and comments on his Facebook website. The Reporting Party stated they were aware Mr. Vailes had his firearm possession privileges revoked due to prior law enforcement encounters. Unfamiliar with social media websites, Warden Todd asked for assistance in the investigation from Game Warden Trainee David Ellsworth in January 2014. David had only been an enforcement officer for less than a year, but this would soon turn out to be one training opportunity he would never forget. Warden Ellsworth was able to locate the alleged photographs and corresponding comments to corroborate this allegation. A criminal history check confirmed the firearm privilege suspension.



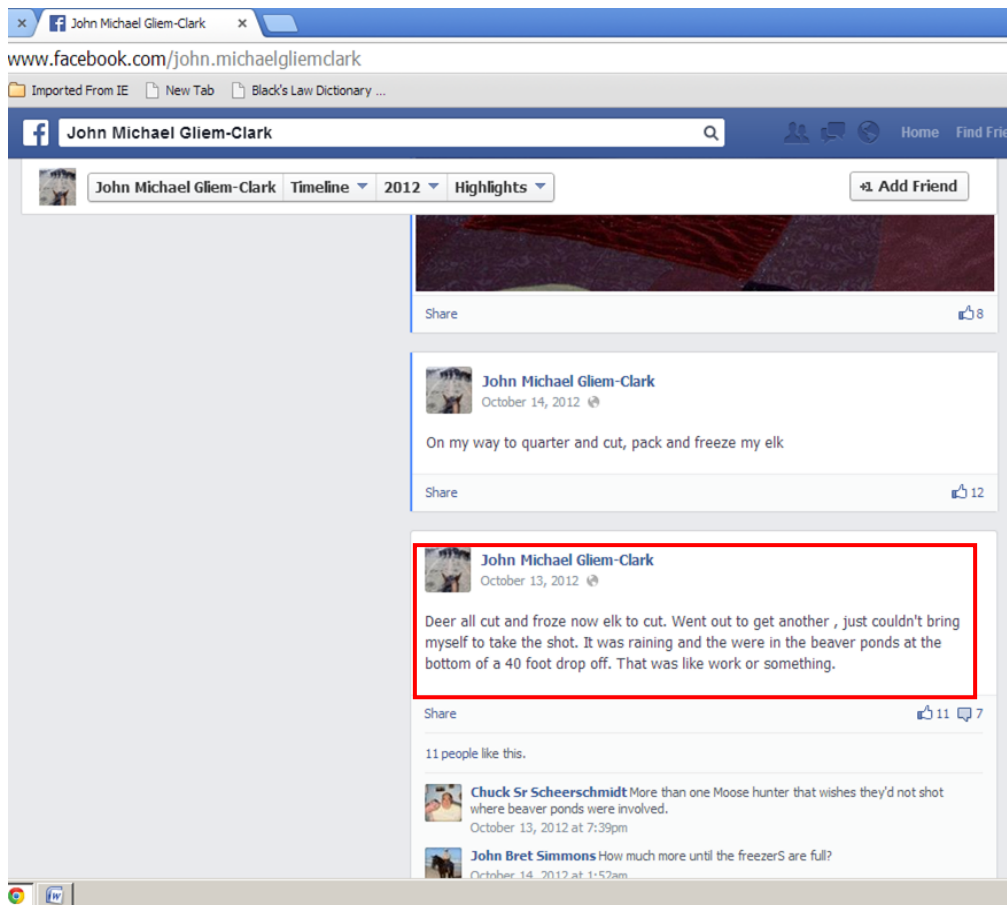
Further investigation into Vailes' hunting license history concluded he had never purchased an antelope license in Wyoming; however, for the year 2013, he had purchased only a furbearer/trapping license, fishing license, conservation stamp and a mountain license. Further photographs and comments indicated Mr. Vailes had also trapped up to 9 swift fox, which are illegal to intentionally take in Wyoming. Some of the swift fox, according to his online statements, had been live trapped and relocated, which would require a permit to possess wildlife. Mr. Vailes also had no record of this type of permit.



Further research into Mr. Vailes' online history revealed statements of at least one more antelope shot as well as comments indicating an SKS rifle was used during the hunt. Having documented possible violations from 2012 and 2013, Warden Ellsworth began looking into Vailes' online associates for further comments and photographs. Comments of having taken a buck and a doe mule deer in 2012 were also discovered. License history in 2012 revealed no deer licenses had been purchased since 2009. While researching conversation history between Vailes and his online associates, Warden Ellsworth discovered a conversation between **John Clark** and Vailes discussing buck mule deer and large bucks around Clark's residence. A quick photo search revealed a buck mule deer and a buck antelope that were posted and discussed online for which license history either did not correlate or did not exist.



Further evidence revealed comments that would suggest the time frame for posting the photographs was accurate to the time of harvest. For example, Clark posted photographs of his buck mule deer on or around 10/2/2012. Comments were found on 10/13/2012 referring to having finished processing his deer and again in 11/13/2012 referring to deer chili for supper.



Lastly, statements were made on 10/14/2012 indicating Clark had the intention of hunting for 3 more antelope, 1 more elk, goose, duck, rabbit and possibly some fish that year until the “freezers were full.” Since the take of the first photographed mule deer and antelope were most likely taken without licenses, the intended 3 more antelope, goose, duck, and rabbit would also have been taken without licenses had Clark been successful.

With this evidence, Warden Ellsworth worked with Warden Todd and Investigator Demaree and the Albany County District Attorney’s Office to write search warrants for Vailes’

home and surrounding property, as well as his Facebook page, which would reveal any further evidence not publically visible. Warrants were also written for Clark’s home, surrounding property, and Facebook page. These warrants were submitted to the Albany County Court and scheduled to be served on March 28, 2014. The search warrants were served simultaneously at the two residences by all wardens from the Laramie Region. An Albany County Sheriff’s Deputy was on scene for the possible firearm possession violation. Vailes was not present and his residence had been mostly vacated. Regardless, his house was systematically searched and any wildlife related evidence was seized. Evidence seized included 1 antelope carcass, legs and hide, a digital camera, gloves with what appeared to be antelope hair on them, bird feathers of unknown origin, deer antlers cut from the skull, 35 packages of meat, 4 frozen swift fox hides, and suspected eagle talons. At the Clark residence, John Clark, his wife, son and Vailes’ former girlfriend were present. Clark and the former girlfriend were both voluntarily interviewed while wardens searched the home for any evidence pertaining to wildlife violations.

During these interviews, Vailes’ former girlfriend informed the wardens that Vailes had recently moved back to Tennessee where he was originally from, had taken most of his belongings and was not intending to return to Wyoming. The former girlfriend had temporarily moved into the Clark home until she could also relocate to Tennessee. Along with her other belongings in the Clark residence, wardens were able to locate the SKS rifle that Vailes claimed online to have used in the poaching of the antelope. Clark eventually admitted to taking 1 buck mule deer per year from 2009-2013. The antlers from each of these bucks were hanging in the home along with 2 sets that Clark claimed belonged to another son who was not present; 7 sets in total. Other evidence seized from the Clark residence included a cell phone, trail camera, 71 packages of frozen meat, multiple 5 gallon buckets of dehydrated meat, a 30.06 rifle and a .270 rifle (the firearms with which Clark claimed to have taken most of his game), the compound bow and arrow set that were pictured with the antelope online, a bag of rainbow trout, a fresh swift fox hide on a stretcher, 2 suspected golden eagle feet and, lastly, 2 suspected owl feet.

On 4/9/2014 the Wyoming Game and Fish forensic analysis team sampled all of the biological evidence collected during the searches. Forensic analysis revealed that parts of at least 18 different animals were seized from Clark’s residence and parts of at least 12 different animals were seized from Vailes’ residence. With this total, Warden Ellsworth was able to determine how many violations actually existed. He subsequently issued a total of 24 citations and issued 3 warnings to the two poachers. John Clark pled guilty to 6 counts of take of trophy big game without licenses and was sentenced to \$30,240 in fines and all hunting, fishing and trapping privileges were revoked for 36 years. To date, written intent to file a formal guilty plea has been submitted by Vailes’ defense attorney, but specific penalties have not yet been determined.