

## **PAYBACK**

**Submitted by: Officer Tammy Conklin**

It was a beautiful June 8<sup>th</sup> day when I got the call. I was working my way back to my new established home in Kelso when I heard, “Kelso Wildlife 195, one male subject being transferred by ambulance from the Abernathy area to St John, suffering from a bear bite.” What? I asked for specifics and Kelso radio repeated their traffic. I had recently moved to the Cowlitz County area and quickly realized I had my work cut out for me. I had hit the ground running and not yet even unpacked. I was up for the challenge, but a bear bite? What am I suppose to do with this call?

Well, I called the paramedic who put me through to the brother of the victim who was on site when the incident occurred. Jason Lee told me they were out scouting for elk when his brother walked down a spur road to pee. He said he heard his brother shouting for help. He ran down the spur road and found his brother on the ground bleeding and watched a bear run off. Hmm... I'm no expert on guys or elk or bear for that matter, but I don't know of one guy who would walk away from a car just to take a pee. And why are they scouting for elk so early? Why would a bear just arbitrarily pick a fight for no reason? Like I said I'm no expert.

I arrived at St. Johns Hospital in Kelso. I entered the emergency department and went to the front desk. I asked about the bear-bite victim that was taken to the Emergency. They pointed me to a smallish-looking lady sitting in a seat. They told me she was the mother of the victim. I introduced myself to Mrs. Lee. She had a mousy little voice, reeked with kindness, but had the distinct persona of a domestic violence victim. She stated the name of her son who had been attacked was Adam Lee. She then introduced me to Mr. Lee. Mr. Lee sat across the room from Mrs. Lee; clearly the boys come from a broken home. Mr. Lee was quite standoffish. He appeared as if either he didn't like cops or had a very long day and did not want to be bothered with formalities. I found it odd he was getting ready to leave the hospital while his son was still in emergency getting treated. I asked where I could find Jason Lee to get more detailed information about the attack, including the exact location.

Mrs. Lee retrieved Jason Lee who was hanging outside of the emergency with several others. I introduced myself to the high school-aged young man who was sporting a beard and typical logger attire. He had a difficult time looking me in the eye, but did repeat the same story he had told me over the phone. He was very specific about the location of the attack. I was grateful I actually knew where he was talking about. For those of you who “know me”, know I have no sense of direction. It just happened I was in that particular area a couple days prior to the incident. Jason told me he and his brother Adam were driving with a third male, Ian Coyle, in Coyle's Toyota truck. He told me Coyle went home and did not come to the hospital. That's weird; one would think your friend would come to the hospital after such a traumatic event. Okay, so I got some facts but is this really a bear bite? I cornered a nurse named Jerry. I asked Jerry if this was the real thing. Are the wounds from that of a bear? Jerry laughed uncomfortably and said if it isn't a bear it's one big dog! Well, there ya go it's probably some big dog...if in doubt call the Sergeant. I called Ted Holden and told him the story. His obvious concern was, is there a crazed attack bear running around in the Abernathy? If so per policy, we need to track it down and kill it. He told me to interview the victim if possible and he would call a hound hunter he has used in the past to come out to track the bear.

I was quite surprised when both the Hospital and Mrs. Lee gave me permission to talk to her son, the victim, Adam Lee. I entered the room to find a nurse sticking a Q-Tip like instrument into the arm of a young man approximately 20 years old. She was probing the wounds on the arm, flushing them at the same time. It didn't seem appropriate to interview the victim while a q-tip was being stuck about two inches into puncture wounds of the arm of Adam Lee. With nothing better to say I introduced myself as Officer Conklin his local Game Warden and asked why he was picking on my bears. The young man smiled (obviously highly medicated), and said "I'm gonna kill that damn bear". Mrs. Lee chuckled nervously rubbed her son's shoulder and said, "He really is a good boy." Adam Lee began to tell me his story about the attack. It was exactly like what his brother said except not even remotely close to the location that Jason Lee had given me. I made a bit of a rookie mistake when I shared with Adam that his brother had given me a totally different location. Adam got "very tired" and did not have anything else to say.

I called Jason Lee on his cell phone and asked he meet us the next morning at 5:00am. It was important that he show us exactly where this took place. I talked with Mrs. Lee who assured me he would be there. Both of the boys live with Mrs. Lee. Ted had arranged for the hound hunter to run his dogs in hopes of finding the bear.

I got home a little after midnight and was back up at 3:00 am. I didn't have to get up that early, but I was pretty excited. I never have been on a hound hunt yet where the dogs were successful at striking anything. I met Captain Schlenker, Ted Holden, and Scott Schroeder at Coal Creek near Abernathy. I showed the pictures of Adams mangled arm. They both winced but probably won't remember that. They were both skeptical that a bear really bit a guy for no apparent reason. We waited patiently for Jason to show up, but he never did. Seems kind of odd that ones own brother won't show us where the badass bear bit his brother hmmm....

We went up to the Abernathy to meet the hound hunter. I didn't know what to expect, since my previous contacts with hound hunters weren't exactly positive experiences. I met "Frank" the hound hunter. I was sort of Jaded and had a preconceived notion of Frank. I had my mind made up I wasn't going to like him. I watched him as he softly talked to his dogs to calm them. The dogs were barking and whining in excitement to do what they were bred to do. I liked that Frank wasn't screaming at his dogs, that was a plus. Frank spoke with a singing stutter. He reminded me of a character off of the old show "Hee Haw". Okay, a few more points for Frank We drove to the location where we believed Jason had described. Nothing really looked right. The substrate was not disturbed, the grass was high and not tamped down, and there was no blood. We drove around the vicinity for a couple hours and didn't really feel we were in the right spot.

It was now a decent hour of 8:00 am. I called the Lee residence and spoke to Mrs. Lee. I told her that Jason did not show. We asked if she could drive Adam out to the scene. Mrs. Lee drove Adam to meet us. Adam had his hand in a cast and sling. We caravanned to the "scene" of the incident. Before Frank let the dogs out Ted wanted to talk with Adam. Ted specifically asked Adam if there was going to be a bear baiting station in the area. Adam replied, "Not mine". Lights went off in all our heads. Ted made it clear that he was concerned for the safety of his officers and if there is a bear bait Adam needed to tell us now. Adam said there was no bear bait. We had Adam show us the site before letting the dogs out. Adam bolted from the car and almost

sprinted to the “site”. Murray called him back and said to slow down! Adam showed us a nice soft grassy area where the attack happened. Frank let the dogs out and began the search. The dogs appeared to strike, but then the habitat was very conducive for bears to be in the area. Adam and Mrs. Lee left. We searched the area for about an hour and it was clear this was not the right area. Frank called his dogs back, and said they were not onto anything. Wow, this is the first time I have had a hound hunter actually not waste my time telling me “just one more hour”. Okay, I like Frank.

We all gathered back up and knew there was a lot more to this story. Frank and the dogs went home, Murray left to deal with the deluge of media calls hungry for information on the “bear attack”. Ted, Scott and I met back in a parking lot at Coal Creek to re-group and plan the next step. Coal Creek is kind of a spot I generally go to when I’m bored. It is intriguing but gives me the feeling it is not a place for one-man patrols. Ted found a stolen car in the parking lot and began the process of recovery. I asked Scott to walk the trail with me because it is full of bad things. We met a guy and gal coming out of the trail. They carried shovels, machetes, and fishing poles. We started asking some questions when the male was saying all the wrong things and getting way too irritated for no good reason. I patted down the female and then the male. I put the male in a Faulkner and began patting him down. Due to the hot sticky weather it was difficult to hang onto the guy and pat down. I asked Scott to assist with the pat down. Scott could feel a baggy in the guy’s pocket. I pulled my cuffs out to restrain the guy further when all hell broke loose. The guy broke my grip and booked down the trail. We started after him and were closing in. I am pretty sure someone put something in the trail because I tripped on it and fell flat on my face. I hit so hard on my vest I actually bounced. Scott, being the bulldog he is went right over the top of me. Scott gave the guy the what for and he ended up on the ground. I followed behind pride and body bruised. God, it’s going to be a long day. As it turns out this particular individual was the one that stole the vehicle in the first place!

Okay, back to the bear. We decided the next step is to talk to Ian Coyle and hear his story. We showed up at Coyle’s residence. He met us in the front yard and wasn’t the least bit surprised we were there. He basically told the same story as the Lee boys except he said he was the one who called the ambulance and gave Adam first aid. We asked if he would show us the area where the incident occurred. He reluctantly agreed. I had him jump in with me and we headed back up the Abernathy. Coyle took us to yet a third location, miles from the other two locations. We drove around for a couple hours but Coyle could not recall exactly where the attack took place. Whatever... On our way home I asked, “what if I told you Adam and Jason showed us another area?” Coyle became defensive and insisted his area was the right area. The rest of the ride home was quiet. We dropped Coyle off and re-grouped, again..

We decided to go give Adam another try, this time at his residence. We confronted Adam and told him we knew he was lying to us. Adam said he was lying and gave us a written statement about how he and his brother and Coyle were driving around looking for a place to bait bear. He said he and Jason poured some liquid smoke on a stump. On the way out of the area a bear attacked him. Coyle was waiting at his vehicle. Adam said he felt relieved that he told us the truth. He said he would meet us the following morning and show us the stump and where the attack happened. We agreed to meet the next morning June 10<sup>th</sup> at 10:00 am. As I left Adams residence I got a call from Ian Coyle. Coyle was apologizing for lying to us and said he wanted

to tell the truth. I told him the next time he sees me I will be accompanying a tow truck driver over to his home to tow his vehicle. Coyle pleaded until I agreed to meet him the next day before we met Adam at 10:00.

I met Coyle at Fred Meyer at 9:00am. He sat nervously at a table waiting for me. I sat down and told him to state his business. If he lied one more time that would be it. He told me “you don’t know half of the story”. I told him I knew there was a dead or dying bear somewhere and I am dealing with a bunch of liars. I told him the ship was sinking and the rats are jumping off. We all know the first rat off makes the best deal. He told me he was ready to tell the truth. No one was sticking to the story and he knew at this point we weren’t going to stop, so he was ready to come clean. Ian was the first rat.

Ian said he and Jason Lee had started a bear baiting station. They had put up cameras and had taken pictures of large bears coming into the site. The pictures were shown to Adam who then showed them to his friends. His friends Kevin, Brian, and Ty were all depredation permit hunters. They asked Ian and Jason if they could hunt the bears off the site with the dogs. Once the bear was killed and on the pavement they could tag it with the depredation tag and no one would be the wiser. He said he didn’t know the last names of any of the guys but was certain they hunted depredation. He said they ran the dogs off the bear bait. They struck a bear that was feeding from the station. The bear was shot and wounded. The dogs began to run him over a ridge. The guys went in and shot the bear again. The wounded bear was still on the move. Eventually the dogs had the bear cornered in a creek at the bottom of a canyon. Adam went in to finish the bear off. The cornered wounded bear attacked Adam, biting him on the arm. Adam shot one last time. The bear ran off and collapsed in the creek. Adam radioed up to Ian that he had been bit. Ian ran down the canyon. Adam was bleeding very badly. Ian tied a shirt around Adams arm and walked him out of the canyon. Ian called his wife and told her to have the ambulance meet them on the main highway. . On the way down they made up the story on how this incident occurred. He said Brian and Ty gathered the dogs back up and left. He said all of them are really scared because Adam had dropped and left the rifle at the scene. He said the rifle was Kevin’s. The more he talked the more excited I got. Wow, it was getting better by the minute. He told me that Adam and Jason went up the night before and poured liquid smoke on a stump. Adam was going to take us there when we met in an hour. I called Ted on the cell and let him know what was going on. I told Ted I would like to try a good cop bad cop on Adam when the time was right. Ted picked up Adam and I met them at the now fourth spot of where the attack happened.

Adam was sitting in Ted’s truck when I pulled in behind them. Adam got out and pointed up a hill where he said he got attacked. Ted dutifully went up to the stump and looked interested while Adam pointed and explained. I could see Adam looking a little nervous as I shot him accusing looks and looks of doubt. We sat Adam in the passenger seat of Ted’s truck. I shook my head. Adam asked what the problem was. I then let him have it. I called him a lying piece of #\$\$%. I told him I had about three hours of sleep since this all began and I had it, I continued to verbally abuse him until Ted pulled me off. It wasn’t hard playing bad cop since I really was operating on little sleep and was getting tired of being jacked around. Ted sent me back to my truck and apologized to Adam for my behavior. He offered Adam a bottle of water and quickly gained Adam’s trust. Before too long, Adam gave us a truthful statement implicating everyone

except his brother. His statement was similar to Ian's. I jumped back out of my truck in the middle of Adam giving his statement, just for good measure. Ted yelled at me to get back in my truck and not to come out. This pleased Adam thinking I was really in trouble. Adam took us to a gravel pit up the Abernathy. He said the bear is dead behind the pit. We knew it wasn't but we also knew Adam couldn't completely tell the truth if he tried.

Ian called me after our meeting with Adam. He said he would take us to the bear bait site and the dead bear. Ian jumped in my vehicle and took Ted and I to the bear bait site. It was pretty sophisticated, motion censored cameras were mounted on the trees above the bait site. "Stink Socks" hung from the trees, and a pit was dug with plenty of food for the bear to eat. Ian climbed the tree and took down the camera. We then headed to the bear. Ian took us on a hike that both Ted and I will forget. It was pouring rain as we stumbled and fell our way down the steep bank. Finally we were at the bottom. We walked in the heavy brush and creek bottom for several hours but could not locate the bear. We climbed our way out of the canyon. I felt somewhat optimistic, but was disappointed we did not find the bear. We had six suspects; one, which we felt, was being honest and three we still had to somehow identify, two that were brothers.

On Monday morning I called Sean Carrell. I asked him if there was any way we could identify depredation hunters by their first name only. Sean, with great diligence, searched the files until he finally found our suspects. Kevin Lund, Ty Keele and Brian Barnd-Spjut were listed on a depredation permit out of the Forks area. Oh, and Adam Lee was listed as an alternate on the permit.

Ian kept his word and continued to gather information about the other suspects. They started having meetings about what they were going to do and say if approached by us. Barnd-Spjut repeatedly would threaten the others that if they said anything he would blow their heads off. Kevin Lund, who had a history of violence also made threats against the others. Barnd-Spjut was no angel either. He had been charged with shooting a dog with an arrow a few years earlier. Barnd-Spjut was the son of a Longview Police Captain. We felt we had enough to confront Lund, Barnd-Spjut and Keele. As luck would have it, we found both Keele and Lund at Barnd-Spjuts residence. Although Spjut was nowhere to be found. Keele and Lund came out of the residence to talk with us, sort of. Lund was quite rude and obviously was the bully of the group. Keele was reserved and appeared to be the little whipping boy, clearly the weak link. Both told us that they were not at the poaching and knew nothing about it. I told Lund I pulled their depredation permit (I hadn't but had full intentions of it). Lund became really mad. He said he was at work on that day and continued to lie. I told him I had gone to his work and he had called in really late that day. He was now really mad that I had gone to his work. I didn't really go to his work, but I was now! I subpoenaed his work records that did show he was late to work that day.

We continued to work and pry. We had Adam and Ian's statements, the other four were not going to cooperate. The three hound hunters went so far as to say they didn't even know the Lee brothers or Ian. I had subpoenaed their cell phone records and found that they had made 48 calls on June 8<sup>th</sup> between the six of them. Believing Ty was the weak link, I went to his residence several times, trying to get him to talk to me.

Ted and I made one last ditch effort to try and find the bear. We hiked back into the area. We dropped back into the canyon, covering the same area but going further up in the creek bed. Ted was like a bloodhound following every trail, every broken branch. Finally, he saw it, a large black bear lying in the creek under heavy brush. Not far from the bear lay the 30-30 that Adam dropped when he got attacked. Talk about a needle in a haystack!



The Bear was approximately 350lbs it lay face down underneath heavy cover. It had been shot numerous times. After all the crime scene photos were taken I began looking for rounds. Ted handed me a knife and said go to it. I skinned the bear and recovered a round from the bear. We took the paws and head of the bear. What a disgraceful way for an animal like that to die. Seeking justice and maybe a little revenge was becoming more intense. I really wanted these guys. The round was sent to the lab along with the rifle. Due to the rifle sitting out in the weather, ballistics only showed that the round came from a 30-30 rifle.

I really wanted at least three of the suspects to give me a statement on the poaching. I had Adam, and Ian, I hoped for one more. I was putting pressure on Adam to flip one more of the guys. I told him he should try to get his brother Jason to come talk to us. Adam said he would try. Ian was still giving us inside information. Including telling us that Adam was telling the group not to cooperate. When I heard this I was furious. Adam had confessed to us and didn't even tell his brother. Ted and I went to Jason's work and asked to talk to him. Jason told us he had an attorney, and had nothing to say. We saw Adam leaving the parking lot as we spoke with Jason. I followed Adam back to his residence. I told him he had 24 hours to bring me someone to confess (preferably his brother), or I will tell the rest of the group he is the one who gave us all the information. The cunning Adam called a meeting among the poachers. He told them he gave us a statement but lied about everything. The trust among the group was quickly crumbling. The division among the group was three against three. Barnd-Spjut, Lund and Keele told the other three that they were going to deny ever being present at the poaching. All suspects were suspicious of one another, except everyone still trusted Ian.

I needed to turn up the heat a bit more. I wrote out a forfeiture notice on Ian's Toyota. Ian had taken his truck out to the country to hide it. Ian went to the others with forfeiture notice in hand, and told them I had taken his truck. The suspects said if he kept his mouth shut, they would help him pay to get his truck back. The others were just simply not going to talk no matter who was going to get burned. Eventually all the suspects except Ian, retained attorneys. The top three attorneys in town were representing three of the suspects.

I knew I had plenty to charge all six suspects at this point, and met with the prosecutor office. The deputy prosecutor was aware of the case already with all the subpoenas and presence I had in their office. She was very motivated, and had a big game background, perfect! All information was gathered and analyzed. I sat down for the tedious work of writing the report. The three-ring binder held the report with pictures, cell phone records, and a detailed report.

In October I finally had everything done and ready to file. I proudly marched into the Prosecutor's office. To my disappointment the prosecutor that was so interested had been transferred to Juvenile Court. Okay, well, this is Cowlitz County surely there are all kinds of prosecutors who have worked big game cases. Yes, this is true but I got the lady from "Cleveland." Yep, Cleveland, never hunted, fished, hiked, you get the idea?

Ted and I met with her on several occasions. She was motivated and seemed to be enjoying the process. She filed all charges I had recommended. Thirty-six in all, six charges for each. She appeared aggressive with the other defense attorneys who were willing to make a deal. I went to every hearing. We lost a few of the charges like obstruction and providing false information, but the meat of the charges held. Closed season bear, hunt with dogs, hunt from bait site, Wastage first degree, all good.

Adam's attorney wanted to make a deal in the worse way. We decided if Adam would testify, he would only be charged with a couple of the charges. Adam agreed to testify. Ian also was to testify. Cleveland seemed to be holding her own, until she was going to charge my informant with the same exact charges as the other suspects! Previously Ted and I talked to her about what Ian should be charged with. She agreed to ask for a deferred sentence. Now she was charging him and said she would not ask the Judge for a deferral. I thought I was in a dream. She had turned into the untrustworthy Tasmanian devil. After much debate between she and I, she agreed with me. Guess she was picking her battle.

Okay here we go. Kevin Lund was the first to go to trial. The morning of the trial Adam and Ian came to testify. Adam, like a scared little girl told us no deal. He was too scared to testify and he left! I couldn't believe it. He stayed true to being a weasel till the bitter end. Okay, thank God for Ian. After the jury was picked, the courtroom began to fill. I think every hound-dogger in the county was there. Not for interest about the case, but to intimidate Ian. Ian held his own and did an excellent job of testifying. Kevin Lund was found guilty on all charges and was sentenced to 10 days in jail.

The defendants who were hell-bent on going to trial, now wanted to plea. I was relieved and wanted this to be over. Adam would be charged with everything. The others were to plead guilty to the four charges each. Cleveland had grown bored of this case, but we were so close!

Little did I know she was working overtime on the case. She called and left a message on my cell. "I made a slight boo boo," she said. "I made a deal with Keele and Spjut to have them charged with Waste of Wildlife first degree." I was sick to my stomach! After all that she charged one charge to the guys who actually brought the dogs to the hunt? It was a done deal....

Adam Lee and Jason Lee were charged with Closed Season Bear, and Wastage. Both of their hunting privileges were suspended for five years. Adam was sentenced to 3 days in jail. All were charged the civil penalty.

I did go before the Judge on behalf of Ian Coyle. Coyle's sentence was deferred for one year pending no other violations. Cleveland was immediately transferred over to family court.

I still get information about these characters. I would like to tell you they have seen the evil of their ways. They haven't, and probably never will until they go to jail for good. We were lucky to get the convictions, for that I am thankful. The case was so fun to work. I was glad to see the convictions but sort of miss the drama of it all..... I fully expect to catch them again in the near future.