



Dead wrong:
An open letter to the Minister of Environment and Climate Change Strategy

Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Gov
Victoria, BC V8W 9E2

Via e-mail ENV.Minister@gov.bc.ca

January 1st 2020

Re: December 20th 2019 ministerial press release.

Dear Minister,

Introduction

1. The B.C. Conservation Officer Service (BCCOS), in the last 8 years, has killed **4,341** black bears, **162** grizzly bears, and **780** cougars, with 542 black bears killed (2019) and 26 grizzly bears killed (2019) – a historically significant number of kills.
2. Pacific Wild is a registered Canadian charity located in British Columbia (B.C.) with a focus on environmental and wildlife conservation. Our organization has tens of thousands of supporters within B.C. and abroad.
3. Recently, many of our supporters, as well as, multiple other charities and members of the public, have expressed concern to your office and the B.C. Conservation Officer Service about the current killing practices of officers. In response to these concerns, a provincial news release was issued with direct quotes from yourself as the responsible minister. It is these quotes, coupled with current kill statistics, that cause concern amongst our organization and many of our supporters.
4. Pacific Wild is of the opinion that an open letter response to you is appropriate because of the public nature of the comments from yourself and due to widespread media coverage of the government news release.
5. This letter will first describe the overarching issue followed by a compiled death toll of wildlife killed by the BCCOS in the last 8 years. Next, a brief background of

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the BCCOS is provided. This background is followed by two issues pertaining to your comments as minister. Finally, concluding recommendations/comments will be made. These recommendations call on you, as the responsible minister, to take certain actions.

Issue

- 6. A recent provincial news release dated December 29th 2019 and titled *Bear attractant audits aim to reduce human-wildlife conflicts* contained quoted comments from yourself (in your capacity as Minister of Environment and Climate Change Strategy). You were quoted as stating:

...Not a single conservation officer relishes the thought of having to put down an animal, which is always a last resort for public safety...

- 7. As a preliminary matter, it is important for you to be aware that Freedom of Information Requests made in early 2019 resulted in a finding that B.C. Conservation Officers were killing bears but not taking enforcement actions for offending parties. Following this finding, there was media coverage of the issue. The BCCOS responded by producing an operational plan for attractant audits. Pacific Wild notes the December 20th 2019 press release focuses on the attractant audits but does not mention or review the number of bears killed by Conservation Officers.
- 8. The question is raised, “how effective was the attractant audit if officers were simultaneously setting a historically high number of kills?” The implementation of the audit and its genuine intentions and legitimacy are in question when enforcement actions are compared against kill statistics. For this reason, accuracy of information being provided to you (in your capacity as Minister) is the theme of this open letter.

Current death toll (2011 – December 2019)

Black bears destroyed by the COS										
Month	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	
Apr	3	5	9	13	21	18	7	12	16	104
May	26	41	52	68	67	43	99	54	97	547
Jun	96	60	40	73	32	35	86	61	81	564
Jul	89	52	29	62	12	12	64	32	55	407
Aug	91	59	24	70	58	64	43	13	67	489
Sept	127	107	96	119	179	171	82	95	95	1071
Oct	53	79	88	70	116	87	60	59	101	713
Nov	33	26	28	14	29	43	32	26	30	261
Dec	6	10	9	5	22	11	2	6	n/a	71
Jan	4	0	3	6	10	6	5	6	n/a	40
Feb	2	2	5	1	6	3	4	7	n/a	30
Mar	3	2	6	6	12	4	3	8	n/a	44
Total	533	443	389	507	564	497	487	379	542	4341
Average number of bears killed per year: 482										
Source: https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-officer-service/predatorstatisticsblackbear.pdf										
Accessed December 28, 2019										
Dec 2019 - March 2020 not available/published yet										

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Grizzly bears destroyed by the COS										
Month	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	
Apr	0	1	1	0	1	1	0	0	0	4
May	0	5	2	0	0	1	3	1	3	15
Jun	2	2	2	0	2	2	6	3	10	29
Jul	1	8	1	3	1	0	1	5	5	25
Aug	2	4	0	3	3	0	1	4	1	18
Sept	6	3	2	5	3	0	2	0	0	21
Oct	3	5	2	2	0	2	4	6	3	27
Nov	0	4	2	0	1	1	0	6	6	20
Dec	0	0	0	0	0	0	0	1	n/a	1
Jan	0	0	0	0	0	0	0	0	n/a	0
Feb	0	0	0	0	0	0	0	0	n/a	0
Mar	0	0	0	1	0	0	1	0	n/a	2
Total	14	32	12	14	11	7	18	26	28	162
Average number of grizzly bears killed per year: 18										
Source: https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-officer-service/predatorstatisticsgrizzlybear.pdf										
Accessed December 28, 2019										
Dec 2019 - March 2020 not available/published yet										

Cougars destroyed by the COS										
Month	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	
Apr	3	4	13	6	4	2	n/a	3	6	41
May	1	5	17	6	9	8	9	13	10	78
Jun	3	3	10	11	13	1	5	3	7	56
Jul	9	6	16	6	13	11	9	2	6	78
Aug	9	6	5	11	14	10	12	14	6	87
Sept	11	6	9	16	4	3	6	10	10	75
Oct	7	6	4	1	6	8	4	6	3	45
Nov	5	9	5	5	6	5	9	6	1	51
Dec	3	5	7	9	4	3	1	5	n/a	37
Jan	3	11	15	12	7	28	7	15	n/a	98
Feb	2	5	13	12	7	15	7	16	n/a	77
Mar	2	12	3	4	12	3	14	7	n/a	57
Total	58	78	117	99	99	97	83	100	49	780
Average number of cougars killed per year: 86										
Source: https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-officer-service/predatorstatisticscougar.pdf										
Accessed December 28, 2019										
Dec 2019 - March 2020 not available/published yet										

Background history

9. The establishment of environmental law in B.C. dates back to 1858 (at that time primarily hunting legislation known as *game ordinances*). Environmental law enforcement has been the responsibility of various Crown departments for more than 100 years. When B.C. became a province in 1871, the responsibility for environmental law enforcement was placed under the B.C. Constabulary. Between 1905 and 1920, the formalizing of environmental law enforcement as a specialized policing area began under the direction of the Provincial Game Warden.
10. Due to financial and staffing issues, various game associations in the provincial at the time directly funded the positions, salaries and expenses of game wardens. The history of game laws enforcement is factually and sequentially linked to pro-hunting organizations in B.C.
11. In the 1920s, environmental enforcement responsibilities transitioned to the (then) B.C. Provincial Police.

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12. It is trite knowledge that the B.C. Provincial Police were disbanded in 1950. Provincial policing was transferred under contract to the RCMP. The terms “Game Warden”, “Bush Cop”, and “Game Constable” were replaced in the early 1960s with the title “Conservation Officer.” Environmental law enforcement operations reverted to the responsible ministry of the day, where they currently sit under the (now) Ministry of Environmental and Climate Change Strategy, B.C. Conservation Officer Service.
13. The BCCOS was established in 1980 as a law enforcement agency and formalized in legislation in 2003 under Section 106 of the *Environmental Management Act*; which provides, *inter alia*, that a Chief Conservation Officer can be appointed and that this Chief can then in turn appoint anyone he sees fit as a Conservation Officer. The Chief has general supervision of Conservation Officers. The *Act* also provides that the Chief may develop policies internal to the agency respecting the establishment of operational procedures pertaining to officer duties and the use of equipment and firearms.
14. These discretionary supervisory powers are subject to the direction of the Minister, in this case, Honourable Minister George Heyman – you.
15. Two primary issues with your December 20th 2019 comments will be addressed next. These are:
 - A. First, the concept that “no Conservation Officer likes to kill bears.”
 - B. Second, the emerging provincial communications strategy of “it’s the public’s fault.”

A: No officer likes to kill bears

16. In the past year there have been multiple public comments made by senior and field level Conservation Officers which echo a pattern of narrative that, “no officer likes to kill bears.” This concept was repeated in your recent December 20th 2019 quote:

...Not a single conservation officer relishes the thought of having to put down an animal, which is always a last resort for public safety...
17. Respectfully, Mr. Minister, this cannot be asserted. The subjective thoughts or motivations of each officer (over 100 individual people) cannot be known by yourself or the staff that is advising you. Some officers may like killing wildlife under the guise of state-sanctioned hunting for work and genuinely enjoy this as part of the job of Conservation Officer, some may not. While you may have been told that no officer likes to kill an animal you cannot assert this to be true in your capacity as a Minister.

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18. You also state that killing animals is “always a last resort for public safety.” This is categorically untrue.
19. The situations with bear cubs Jordan and Athena in 2015, and multiple instances where officers have killed bears cubs, because in the officer’s opinion they were unlikely to survive in the wild (such as the Fur-Bearers case with bear cub Dawson in 2016, two cubs in Furry Creek in 2019, and two cubs in Coquitlam in 2019), serve as examples of the inaccuracy of your quote.
20. The killing of bears and other wildlife often includes circumstances which are beyond immediate public safety concerns and are based instead on each individual officer’s beliefs, opinions, experiences, learned organizational behaviours, and accepted internal agency practices – factors which many of the public question.

B: It’s the public’s fault

21. The second narrative that must be explored is the concept that all bear killings are a result of attractant management issues in local municipalities. This presumption is based on the belief that if there were no non-natural foods available then there would be no public safety issues; as a result, no bears would be killed by Conservation Officers.
22. Because of this narrative, officers and government executive staff are trained to believe all bear deaths are the public’s fault. A “you made me do it” and “we had no choice” approach to justifying killing actions is adopted and indeed supported by executive staff within the BCCOS, as evidenced by years of media correspondence on the issue and your recent comments.
23. Killing any species (human or non-human) with government-issued service weapons is the sole responsibility of the officer pulling the trigger. Blaming the public for deaths, after an officer has killed, allows the agency and individual officer to avoid responsibility and overall accountability for the discharge of service weapons and munitions. It is akin to victim blaming, a pattern of justification often identified in the narratives of those who conduct violent crimes.
24. The consequence of narrative that attempts to state “no officer is responsible for the killing of bears or juvenile cubs” results in the potential for gratuitous use of lethal force on non-humans and an overall cavalier approach to serious killing actions.
25. As the minister responsible for providing direction to the Chief conservation Officer under section 106 of the *Environmental Management Act*, you should be concerned about the discharging of firearms in urban environments and most certainly worried about the use of distancing narratives which seek to avoid responsibility for killing actions.

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26. While it is important to recognize the role attractant management plays in providing non-natural foods to wildlife, mere access to non-natural foods does not necessarily equate to the charge habituation and most certainly does not address temporary opportunistic feeding as a result of urban expansion and population dispersion (which is not habituation).

Concluding recommendations/comments

27. Both of the issues identified above highlight a theme of concerns with the accuracy of narratives used by the B.C. Conservation Officer Service and use of ministerial communications systems to maintain a desired public image.
28. Ultimately, the minister should be separate and independent of law enforcement functions and agencies in order that the public is served impartially. The narrative of “no officer likes to kill bears” and “it’s the public’s fault” only perpetuates a power structure within the BCCOS that is largely dominated by hunters at the field level. It does not reflect the broader diversity of provincial society or needs of our natural environment. It is a narrative that defends an organizational status quo which is historically rooted in pro-hunting culture and provincial game associations. For this reason, Pacific Wild is making the recommendation that your office to suspends the BCCOS’s use of ministerial communications systems.
29. While our organization is aware that independent oversight is currently being reviewed by the Ministry, it is important that this is an independent process which is not un-duly influenced by the current power regime within the BCCOS. Our organization maintains the position that independent oversight of the BCCOS is needed. As such, Pacific Wild is calling on your office to make independent oversight a priority for 2020 and to ensure a strategic implementation plan is provided before the next electoral cycle.
30. The severity of an officer’s actions impact not just wildlife but also people. This was brought to light earlier this year in Coquitlam, where a Conservation Officer alleged he was obstructed in his attempts to kill a family unit of bears. After being simply yelled at by a witness, the Conservation Officer in question is reported as having chased down an elderly man and to have dragged him from the steps of his home.
31. It is clear that having armed police like agencies without oversight or accountability mechanisms can have far reaching consequences not only to our wildlife but also to the charter rights of citizens. Pursuant to your authority as Minister under Section 106 of the *Environmental Management Act*, Pacific Wild is recommending that you provide direction to the Chief Conservation Officer to have all field officers outfitted with body cameras and to develop operational procedures for their use no later than April 1st 2020.

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32. Historically and structurally, the BCCOS is factually and sequentially linked to pro-hunting organizations. This has been largely maintained in modern times, to the extent that a uniformed ceremonial guard was even provided to the annual general meeting of the B.C. Wildlife Federation in 2019 (a provincial pro-hunting organization).

33. This style of public appearance calls into question the social legitimacy and impartiality of the BCCOS overall and raises questions about the diversity within its ranks and recruitment practices, issues which have been previously brought to the attention of your office.

34. Pacific Wild remains open to a face to face meeting regarding the structure, past, and future direction of the B.C. Conservation Officer Service.

Sincerely,



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