





Terlingua Ranch

Hunting Concerns

Game Wardens

- Brewster County
 - Matthew Bridgefarmer
 - Erin Albright
 - Daniel Kessler
 - Matt Kiel
- Captain Jim Porter



TEXAS PARKS AND WILDLIFE

Mission Statement

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

General Hunting Laws

- Hunting License (required for all ages)
- Hunter Education (born Sept. 2 1971 or later)
- Landowner Permission

General Hunting Laws cont.

- Rabbits
- Coyotes
- Foxes
- Bobcats
- Mountain Lions
- Skunks
- Raccoons
- Aoudad
- May be hunted year round
- Day or Night
- No bag limit
- May use light
- Not from a public road

Hunting Seasons – Brewster Co.

- Mule Deer

 - Archery Only: Oct 1- Nov 4

 - General: Nov 25- Dec 11

- Quail

Oct 29 – Feb 26

- Dove

Sept 1 – Oct 23

Dec 23 – Jan 8

Species Specific Laws

- Bag Limit
 - 15 Quail per day
 - 15 Dove per day
 - 2 Javelina per license year
 - Mule Deer:
 - 2, no more than 1 buck all seasons combined
 - Does during archery season only



Species Specific Laws

Deer & Javelina

MAJOR violations:

- Hunt at Night
- Hunt on a public roadway
- Hunt from a vehicle
- Hunt with the aid of a light
- Fail to retrieve / waste of game
- Hunt without landowner consent

Class A Misdemeanor

- Fine \$500 – \$4,000
- Jail Time up to 1 year

State Jail Felony

- Fine \$1,500 - \$10,000
- Jail Time 180 days to 2 years
- Civil Restitution
- Forfeiture of equipment

Civil Restitution

- Scaled (Blue) Quail \$273.50
 - Mule Deer Doe \$881.50
 - Mule Deer Buck \$1929.50
- (base value) + (score)

Example: mule deer buck that scores 161 inches

\$4,602.50

Species Specific Laws

Black Bears & Bighorn Sheep

- Listed as a threatened species in Texas
- May not be killed or any part possessed
- Civil restitution starts at \$11,907.50



Common Violations Encountered at Terlingua Ranch

- Hunt without landowner consent
- No hunter education
- Improperly tagged mule deer
- Waste of game – Javelina
- Whitetail harvest log
- Possession of firearms during archery only mule deer season
- Possession of game w/o a wildlife resource document

Trespass vs. Hunt w/o Consent

Criminal Trespass – Penal Code 30.05

- (a) A person commits an offense if the person enters or remains on or in property of another, including residential land, agriculture land, ... without effective consent and the person:
 - (1) had notice that the entry was forbidden;
or
 - (2) received notice to depart but failed to do so.

Criminal Trespass

Penal Code 30.05

(b)(2) “Notice” means:

- (A) oral or written communication by the owner or someone with apparent authority to act for the owner;
- (B) fencing...
- (C) a sign or signs posted on the property ... reasonably likely to come to the attention of intruders, indicating that entry is forbidden;

Criminal Trespass

- (D) the placement of identifying purple paint marks on trees or posts on the property provided that the marks are:
 - (i) vertical lines of not less than eight inches and not less than one inch in width;
 - (ii) placed so that the bottom of the mark is not less than three feet from the ground; and
 - (iii) placed at locations that are readily visible to any person approaching the property and no more than:
 - (b) 1,000 feet apart on land other than forest land;

Hunt Without Landowner Consent

Parks and Wildlife Code 61.022

- (a) No person may hunt or catch by any means or method or possess a wildlife resource at any time and at any place covered by this chapter unless the owner of the land, submerged land or water, or the owner's agent, consents.

Hunt Without Landowner Consent

Parks and Wildlife Code 61.022

(b) Except as provided by Subsection (c), a person who violates Subsection (a) the first time commits an offense that is a Class A Parks and Wildlife Code misdemeanor and is punishable in addition by the revocation or suspension under Section 12.5015 of hunting and fishing licenses and permits.

Hunt Without Landowner Consent

Parks and Wildlife Code 61.022

- (c) A person who violates Subsection (a) the first time by killing a desert bighorn sheep, pronghorn antelope, mule deer, or white-tailed deer commits an offense that is a Parks and Wildlife Code state jail felony and is punishable in addition by the revocation or suspension under Section 12.5015 of hunting and fishing licenses and permits.

Party to Offenses

Penal Code 7.01

- (a) A person is criminally responsible as a party to an offense if the offense is committed by his own conduct, by the conduct of another for which he is criminally responsible or by both.
- (b) Each party to an offense may be charged with commission of the offense.

Criminal Responsibility for Conduct of Another

Penal Code 7.02

- (a) A person is criminally responsible for an offense committed by the conduct of another if:
- (1) acting with the kind of culpability required for the offense, he causes or aids an innocent or nonresponsible person to engage in conduct prohibited by the definition of the offense;
 - (2) acting with intent to promote or assist the commission of the offense, he solicits, encourages, directs, aids, or attempts to aid the other person to commit the offense

So what does this all mean for Terlingua Ranch

- Terlingua Ranch is only 5% of Brewster County
- An estimated 70% of the game wardens' enforcement time is directed here during deer season
- Evolution of hunting on Terlingua Ranch
 - Way we have always done it
 - Ignorance / lack of communication
- Change in landowners and attitudes

What can Hunters do?

- Know their property lines
- Receive written permission prior to each season
- Carry the written permission while hunting
- Know the property lines of land they receive permission to hunt on
- Call the game wardens

What can Landowners do?

- Know their property lines
- Post no hunting / no trespassing signs
- Receive written authority to act as an agent for the landowner
- Know the property lines of land they receive agent status on
- Post no hunting / no trespassing signs on agent status property
- Call the game wardens

Other concerns at Terlingua Ranch

- Hunter Harassment
- Retaliation
- Criminal Mischief
- Landowner / Hunter Confrontations

Harassment of Hunters

Parks and Wildlife Code 62.0125

- (c) No person may intentionally interfere with another person lawfully engaged in the process of hunting or catching wildlife.
- (d) No person may intentionally harass, drive or disturb any wildlife for the purpose of disrupting a person lawfully engaged in the process of hunting or catching wildlife.

Harassment of Hunters

Parks and Wildlife Code 62.0125

- (e) No person may enter or remain on public land or enter or remain on private land without the landowner's or his agent's consent if the person intends to disturb another person lawfully engaged in the process of hunting or catching wildlife.
- (g) An offense under this section is a Class B misdemeanor.

Obstruction or Retaliation

Penal Code 36.06

- (a) A person commits an offense if he intentionally or knowingly harms or threatens to harm another by an unlawful act:
 - (1) in retaliation for or on account of the service or status of another as a:
 - (A) public servant, witness, prospective witness or informant; or

Obstruction or Retaliation

Penal Code 36.06

- (B) person who has reported or who the actor knows intends to report the occurrence of a crime

- (c) An offense under this section is a felony of the third degree

2-10 years jail time / up to \$10,000 fine

Criminal Mischief

Penal Code 28.03

It is there to protect your property

How do we solve the problems?

- Education
 - Board meetings
 - Newsletter
 - Posted notices
- Enforcement
 - Fair and consistent
 - Hunt without landowner consent cases will be investigated and presented for prosecution



