

New York State Department of Environmental Conservation

DIVISION OF LAW ENFORCEMENT

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Joe Martens
Commissioner

On Patrol - December 2013

Your Truck Is On Fire (Schoharie County)

On December 14, ECO Brian Willson responded to an open burning tip off 30A and Briggs Road just over the Schoharie County line in Esperance. An open fire fueled by solid waste materials was observed burning dangerously close to a dump truck on the property. The owner of the truck was advised of the danger but was then unable to start up the truck or move the truck away from the fire to a safe distance. A few moments later, the rear driver's side tire on the truck ignited and began to melt and burn away. The local fire department was called in to address the danger. Two tickets were issued to the subject, one for the open burning and another for improper disposal of solid waste.

Unlawful Disposal (Franklin County)

DEC Police charged a subject with depositing a noisome and unwholesome substance on a public highway, specifically bags of butchered deer parts. Diligent police work tracked down the unscrupulous offender, who was issued an appearance ticket and faces penalties of not less than \$100 in fines for this misdemeanor and up to six months in jail.

Trespasser Leads to Illegal Deer Activity (Rensselaer County)

ECO Brian Canzeri received a big game trespassing call in the Town of East Greenbush. According to the caller, the subjects were on their property retrieving a 4-point buck. The property owner confronted them and called the local PD as well as Officer Canzeri who immediately responded and tracked the deer blood back to a bait pile directly behind a house. Approximately 50 feet from the bait pile at the edge of the woods was a ground blind which was next to a house. No one was at the house at the time. ECO Canzeri watched the house for activity over the next few weeks and finally observed a tan Chevy pick-up parked in the driveway. The suspect had the driver's side window facing the baited area. The suspect kept looking at the baited area from the truck. Canzeri confronted the suspect who was in possession of a loaded gun in the motor vehicle and tags of other hunters. A second subject was identified at the residence. They confessed to taking the deer over bait and to taking another 8-pointer over bait previously during bow season. Neither deer had been reported. Officer Canzeri issued tickets for loaded gun in a motor vehicle, possession of another's tags, hunting over bait, and two counts of taking deer over bait. In addition, written warnings were issued for failing to report.

Hunting Over Bait (Greene County)

ECO Sean Dewey and Ranger Christine Nelson were on patrol in the Town of Halcott when they observed a buck that was hanging behind a tree in front of a house with a long driveway. The officers proceeded up the driveway to check for proper tagging. Satisfied that the 8-point buck was properly tagged, Officer Dewey observed what looked like a rotary feeder in the woods. A closer look also revealed a tree stand overlooking the feeder with corn underneath. Further investigation revealed salt licks in the woods. After being confronted with the mounting evidence, the hunter agreed that the deer was shot coming into the bait pile. The hunter was charged with placing salt licks on land inhabited by deer, taking deer over pre-established bait pile and hunting deer over bait.

More Trespassers Hunting Illegally (Rensselaer County)

While on foot patrol in the Town of Sand Lake ECO Brian Canzeri found three individuals trespassing to hunt on posted property, and a fourth hunting over a baited stand. The bait was a salt lick and mineral block. All four were issued tickets for trespassing and hunting over bait.

Shooting from Road (Rensselaer County)

ECO Brian Canzeri received a call concerning subjects shooting from a motor vehicle in the Town of Brunswick. ECOs Canzeri and Jason Curinga patrolled the area. The caller gave a license plate which returned to Green Island so the officers patrolled to the registered address. Upon speaking with the registered owner, it was determined that the driver and three other occupants were driving in the town and saw a doe deer in the woods. They pulled over and one of the passengers in the back seat got out of the car and shot the deer from the road. Canzeri retrieved the deer later that night and relayed it to the Delmar Lab for testing. A few days later, the suspects gave written statements and received tickets for an illegal deer, shooting from the road and shooting within 500' from a dwelling.

Trespass (Delaware County)

ECO Vern Bauer received a complaint about a hunter trespass in the Town of Kortright and met with and interviewed the complainant and caretaker of the property. The complainant said that he saw two area residents dragging an 8-point buck off of the property earlier in the day. Officer Bauer interviewed the two subjects who alleged they had permission to hunt on the property where the buck was shot. The shooter alleged he shot from one property and killed/gutted the buck on the adjacent property and then dragged it back. Officer Bauer enlisted the help of T/Sgt. Keith Isles and K9 Shamey. They found the gut pile about 300 yards from where the shooter claims he shot and gutted the buck proving it was on the complainant's property. Bauer met with the shooter and ticketed him for the illegal deer and trespassing. The shooter was later arraigned and paid \$1,002.50 in Kortright Town Court.

Too Close for Comfort (Greene County)

Last November ECO Anthony Glorioso responded to a complaint of a subject shooting at deer too close to a residence in the Town of Catskill. The complainant stated he had heard gunshots coming from very close to two houses and had been able to see two bucks running around in the woods. The officer located a blood trail and tracked the blood trail to the hunter who was looking for the injured buck. ECO Arp and K-9 Warden were contacted for a shell casing detection in the area where the complainant stated he heard the gun shots. K-9 Warden found the first shell casing at 435 feet and the second at 250 feet from a residence. Following the investigation, the careless individual was charged with discharging a firearm within 500 feet of a residence, taking deer by other than legal means (both misdemeanors) and failing to display his back tag while big game hunting.

Quick Communication Pays Off (Greene County)

ECO Sean Dewey received a call from ECO Anthony Glorioso that a deer had been shot on the front lawn of a house. Officer Dewey immediately responded and interviewed the complainant and tracked down the vehicle to a residence in Lexington. He located the shooter and obtained a confession. The shooter was charged, immediately arraigned, and pled guilty to shooting from a public highway, taking wildlife from a public highway, shooting within 500' of a residence, and trespass.

Illegal Black Bears (Delaware County)

ECO Nathan Doig received an anonymous tip regarding several individuals from a hunting camp that had illegally taken two bears over a bait pile during the bow season. Although the information came in several weeks after the alleged killing of the black bears, ECOs Doig and Vern Bauer wanted to speak to the alleged violators about the incident, so they hiked two miles up the icy road to the top of the mountain where the hunting camp was located. They noticed a large pile of corn on the lawn near the house and after a brief interview with one of the shooters, the truth came out that both bears were shot over a pre-established bait pile by two different subjects. Both bears were seized and two individuals were written the appropriate tickets.

I Guess That One Was Fake! (Delaware County)

Environmental Conservation Officers received information that significant road hunting was occurring in the Town of Franklin on a specific road. On the last day of the regular big game season, the officers put their decoy out in a likely location. Just prior to sunset, they heard a vehicle approaching from the distance and continued in the direction towards where the decoy "Mikey" was positioned. The vehicle moved slowly down the road with the driver looking from side to side until he saw Mikey. Within seconds after the vehicle had stopped, a gun barrel was pointed out of the truck window and the occupant shot from his vehicle across the public road. An officer quickly stopped the individual who exclaimed "Darn it, I guess I shot the fake one." The individual was issued the appropriate tickets.

Interstate Cooperation re Spotlighting (Rensselaer County)

ECO Brian Canzeri responded to the Town of Hoosick concerning a spotlighting complaint. The homeowner stated that a vehicle drove down the road at 11 p.m. with a high powered spotlight which passed through their dwelling windows. The complainant had managed to get the Vermont license plate number. Canzeri forwarded the registered address to Vermont Game Warden Travis Buttle. Warden Buttle states that the registered subject was well known to him. Warden Buttle found the subjects and coordinated with Officer Canzeri to meet with them. According to the driver, he got out of the car and his passenger turned on the cab spotlights on for fun. He got back in the truck and continued down the road forgetting to turn them off. He did confess to spotlighting a few dwellings. Both subjects signed a voluntary statement. The road is a dirt road along the Vermont line that gets a lot of road hunting activity throughout hunting season. Both subjects were issued tickets for spotlighting within 500' of a dwelling.

Illegal 11-Point Buck (Greene County)

ECO Sean Dewey received a call that a large-racked buck was on the top of a car in the Town of Ashland and that the buck might have been shot on private posted property. That night Officer Dewey interviewed the complainant by phone. Early the next morning, ECO Dewey went to the spot where the deer was shot to look for signs of the alleged illegal activity. After conducting the investigation, Dewey confronted the alleged shooter, who still had the 11-point drop-tine buck strapped to his car. After being confronted with the facts, the shooter admitted to shooting from a public roadway and hunter trespass. He was also charged with taking wildlife from a public roadway.

Good Timing (Essex County)

ECO John Blades received information about a baited tree stand at a seasonal residence in the Town of Keene and was given a brief description of where the tree stand was located as well as a suggested route into the stand. To avoid detection, Officer Blades enlisted the help of Lt. Harold Barber and his unmarked jeep for reconnaissance. The two officers started into the stand location in the afternoon and within minutes of leaving the vehicle, a shot rang out. The officers proceeded directly to where the shot came from and observed a subject still in his tree stand. He was told to unload his gun and when asked if he got the deer, he dropped his head and pointed out his freshly killed deer. The deer lay dead within 50 feet of a large pile of apples. The subject was issued appearance tickets for hunting over bait and taking an illegal deer over bait.

It's Time for Us to Make New Friends... (Hamilton County)

On the evening of December 1st, an individual called the Hamilton County Dispatch to make a complaint and the call was relayed to ECO Scott Pierce. The complainant explained he had shot and killed a 10-point buck in the Town of Benson, but that his hunting partner had become upset because he had wanted to shoot that particular deer. The complainant stated that his hunting partner had hit him and then dragged the deer to his van and tagged the deer with his own tag. Officer Pierce asked where the deer was and the complainant said it was at his hunting partner's house. ECOs Pierce and Shane Manns went to the friend's house and located the deer. When asked why he had taken the deer and tagged it, the man said it was because his friend had already used his antlered deer tags for that year and then gave the officers a photo of the complainant with a 6-point buck dated earlier in the season. He also provided a statement of how his friend had taken the 6-point buck and the 10-point buck from the day prior. ECO Pierce seized the ten-point buck. The original complainant eventually admitted to taking both deer and was charged with taking in excess of limit of deer, hunting without a valid license, failure to tag deer as required and failure to report deer as required.

Right Spot, Wrong Vehicle (Washington County)

ECO Thomas Wensley received a complaint of spotlighting within 500 feet of several residences in the Town of White Creek. One of the complainants had very good information on the vehicle involved and the nature of their activity. He stated that they had been coming by nearly every night and spotlighting their property and the property of several neighbors. Officer Wensley patrolled to the complainant's neighborhood to watch during the described window of activity. Shortly thereafter, a vehicle came through the area at a very slow rate of travel and began using a powerful spotlight in the meadows and woods. Their spotlighting activity was frequent and without regard to the residents' homes in the area. After several miles of watching their antics, the vehicle, which bore Vermont license plates was stopped by the officer. ECO Wensley found three males, a shotgun and a center fire rifle, a large quantity of ammunition and alcoholic beverages, as well as a powerful spotlight. Tickets were issued to the three subjects for using an artificial light on lands inhabited by deer while in a motor vehicle and possessing a firearm. The vehicle stopped on that night was not the vehicle originally described in the complaint so patrols were continued in the area.

Not the Way to Shoot a Doe (Fulton County)

ECOs Stephen Shaw and Brian Toth responded to an complaint of an illegal taking of a deer in the Town of Ephratah. The property owner believed that someone may have shot and killed a deer on her property. Upon arrival, the officers interviewed multiple subjects. The subjects stated they had been hunting on an adjacent property and shot at two deer. It was said that the deer had run onto the complainant's property where it had expired. However, as the officers unraveled the stories, it became apparent that the subjects were not being truthful. What had actually happened was four of individuals were out road-hunting in a pickup truck. Two antlerless deer had been spotted in a field and two individuals stepped out of the truck and shot at the deer from the roadway six times. Five of the six shell casings were found lying right on the pavement. They had also discharged well within 500 feet of the complainant's residence. The complainant signed a supporting deposition and one dead antlerless deer was retrieved and photographed as evidence. Two individuals were each issued three misdemeanor charges for killing a wild deer, discharging from a public highway and discharging within 500 feet of a residence. If convicted, the two hunters could pay up to \$4,000 in fines, spend up to one year in jail, and lose their hunting license for up to five years.

Acorn Rage (Hamilton County)

ECO Scott Pierce received information that an unknown subject took a large 9-point deer and was back out deer hunting again in the Town of Wells. Officer Pierce did not find the subject when he arrived, but he was able to track where a subject had been hunting recently. Pierce returned to this area and found the landowner of this property who explained he only knew of two subjects who had been hunting on his property. One subject lived down the road and the other hunter was the landowner's friend who lived in the Albany area. After ruling out the local hunter, Pierce contacted the Albany resident who admitted that he had taken a deer in the area. Pierce requested to be shown where the deer was taken. While ECO Pierce was waiting for his arrival, he went to the general area where the Albany resident indicated he had taken his deer. While following an old set of foot tracks, the path led through a powdered substance on the ground. Approximately 75 feet beyond this powder, a green liquid was seen sprayed on the ground and leading away. Officer Pierce followed this liquid up to the top of a ridge. A deer gut pile was found and from this gut pile a visible drag mark could be seen. During the subsequent interview, the subject admitted to distributing Acorn Rage and other bait and then hunting over it. The man was charged with hunting deer over pre-established bait and the unlawful taking of a deer.

Loaded Firearm (Franklin County)

ECOs charged a Malone man with possession of a loaded firearm in a motor vehicle. He was issued an appearance ticket for the Town of Malone Court and faces maximum possible penalties of \$1,000 in fines and up to three months in jail.

Illegal Deer Goes to Good Use (Saratoga County)

While on patrol in the Town of Clifton Park, ECOs Mark Klein and Brian Toth stopped to watch a buck running across a field. As the buck disappeared into a tree line, the officers heard a shot, decided to investigate and headed in the direction of the shot. They proceeded down the closest driveway and when they got to the end, they were flagged down by the property owner who said that someone was hunting on his property without permission. The officers entered the woods and hadn't gone far when they came across a hunter standing over the buck they had seen earlier. An interview revealed that the man's friend used to have permission to hunt the property but hadn't received permission recently and the individual himself had never received permission. After obtaining a deposition from the property owner, the hunter was charged with trespassing and taking an illegal deer. The buck was seized and donated through the Venison Donation Program.

Cold Weather Boat Patrol (Warren County)

While off duty checking his traps on Lake George, ECO George LaPoint noted that even though it was December and cold, there were a number of boats fishing on the lake. He contacted ECO Louis Gerrain and the two ECOs decided to conduct a cold weather boat patrol for fisherman on the lower end of the lake from the north end of the Narrows south to Lake George Village. A total of three vessels were checked for fishing and navigation compliance and one summons was written for fishing without a license.

Two Resident Licenses? (Clinton County)

ECO Dan Malone received a phone call complaint regarding a hunter trespassing on posted property in the Town of Champlain during the late muzzleloader season. ECO Malone responded to the scene and found the subject in question crossing the field to his truck which was parked near the road. ECO Malone interviewed the hunter and determined that the hunter was a Vermont resident, living and working in Vermont, but he somehow possessed a New York resident hunting license and muzzleloading stamp. The man told ECO Malone that he had hunted in Vermont and had taken two deer in Vermont during the 2013 hunting season. He told Malone he had a Vermont resident hunting license. ECO Malone then asked how he could possess two resident hunting licenses in different states. The hunter could not provide a reasonable answer. The hunter was issued tickets for trespass and for hunting without a valid NYS hunting license. The tickets were returnable to the Town of Champlain Court.

Hunting over Bait (St. Lawrence County)

ECO Troy Basford received a tip of possible illegal baiting activity in the Town of Lawrence and checked the complaint location where he found a subject sitting in a tree stand. Upon approaching the individual, Officer Basford observed a large pile of carrots and corn directly in front of the tree stand. The subject was identified as a Saranac Lake resident and was issued tickets for hunting deer with the aid of bait and failure to carry his hunting license and tags afield.

Illegal Trapping (St. Lawrence County)

ECO Joe Munn was patrolling for deer hunters in Aldrich Pond State Forest which is closed for the late muzzleloader season. Officer Munn located a truck at the end of a snow-covered seasonal road and noticed tracks with the imprint of a sled being dragged behind heading up the trail. He followed the tracks for a few miles until they eventually led to a beaver flow. As he approached the dam ECO Munn he noticed that it had been recently disturbed and located two foot-hold style traps that measured 7 ¼ inches in diameter set on land. This presented a violation as it is illegal to set foot-hold traps measuring over 5 ¾ inches on land. The third trap was a body gripping trap that measured over 8 inches from top to bottom, which was also set on land; it is unlawful to set body-gripping traps measuring over 7 ½ inches on land.

After measuring the traps and wondering where the trapper was, the officer made a bee line back to where the vehicle had been parked. Eventually, ECO Munn caught up with the trapper on who had attempted to evade him by sneaking through the woods. The trapper admitted he was the one who had removed the beaver dam and set the traps. He explained that he set them on land because he did not want them to freeze and that he had been trapping there for 30 years and had never been checked. ECO Munn issued the trapper one ticket for disturbing the beaver dam and one ticket for the illegal traps set on land.

Loaded Firearm in a Motor Vehicle (Oneida County)

With the conclusion of big game season, ECO Ritzel focused his attention on small game enforcement and checked several individuals hunting in northern Oneida County. ECO Ritzel encountered two separate hunters who were both in possession of loaded firearms in their motor vehicles. Both subjects were rabbit hunting with shotguns and had failed to properly unload their firearms before placing them in their motor vehicles. One subject was hunting in the Town of Western and possessed a 12 gauge shotgun chambered with one round. The second individual was hunting in the Town of Steuben and possessed a 16 gauge shotgun loaded with one round chambered and four rounds in the magazine. Both subjects were issued tickets returnable to the respective local criminal courts and could face up to a maximum fine of \$1,000.00 and/or 90 days in jail.

Small Game Hunt Turns into a Deer Drive (Oneida County)

ECO Grisolini received a call from a complainant regarding a possible out-of-season deer poaching incident. The Officer responded and found a recent blood trail and sign of an injured deer and was also able to track a set of human footprints that appeared to be following the blood trail that lead to a residence in Clinton Township. After several hours of tracking the animal in the rain, the deer tracks disappeared and the officer was not able to recover the animal. He returned to his vehicle and drove to the residence where he had followed the tracks earlier. At the residence and after a lengthy interview, the resident admitted to shooting at a deer with #6 shot while he was small game hunting and claimed that he saw the deer and wanted to shoot to see if his 20 gauge shotgun was still accurate, as he hadn't shot it in quite a while. He was ticketed for the attempted taking of protected wildlife and hunting big game out of season.

Trunk Full of Deer (Oneida County)

A Sangerfield man was charged with taking a doe deer without a permit and criminal possession of a weapon in the 4th degree. The Oneida County Sheriff's Office notified ECO Steve Lakeman of a subject driving around town with a deer head hanging out of the vehicle's trunk. Officer Lakeman made contact with the individual at his residence. The deer hanging from the trunk was found to be legally tagged. The doe deer that was also found was not tagged. The resident told Officer Lakeman that he had shot the deer and his firearm was in the residence. Oneida County Deputies arrived on the scene. The resident, a convicted felon, changed his story and said that someone else had shot the two deer. He ultimately surrendered the firearm and admitted to shooting the deer and was taken to the OCSO barracks where he was processed and released.

You Never Know What You May Come Across! (Oneida County)

ECO Chrisman Starczek was patrolling in the Town of Florence and could see two hunters at their truck. Once the hunters saw Officer Starczek coming, they quickly started moving around to get to the front of the truck. The officer hurried up to the truck and found that the driver had a loaded rifle in the front seat and was trying to unload it. ECO Starczek checked both hunters' licenses and issued the driver one ticket for possessing a loaded gun in a motor vehicle. The men stated that there were additional people in their party out hunting. The officer took a walk along a nearby seasonal road to see if he could see any other hunters and heard three shots go off very close to him. He walked into the woods and saw a hunter looking down at the doe he had just taken and asked to see the man's license and tags. The man stated that he did not have a doe tag. Officer Starczek issued a ticket to the hunter for taking an antlerless deer without an antlerless tag and seized the deer.

K-9 Gunner Passes On (Warren County)

On December 1, K-9 Gunner died from canine bloat while being kenneled at the veterinarian's facility. Gunner faithfully served DLE and ECO Stephen delaRosa from September 2006 until his untimely death. This was ECO delaRosa has served as K-9 Handler for 22 years and Gunner was his third Police dog.