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**RECEIVED**  
KING COUNTY WASHINGTON

SEP 07 2023

DEPARTMENT OF  
JUDICIAL ADMINISTRATION

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING**

STATE OF WASHINGTON,

Plaintiff,

v.

JASON L. SMITH,

Defendant.

NO. 23-1-05293-1 SEA

AFFIDAVIT FOR DETERMINATION  
OF PROBABLE CAUSE

AFFIDAVIT BY CERTIFICATION:

The undersigned certifies that I am an Assistant Attorney General for Washington, and make this affidavit in that capacity; that criminal charges have been filed against the above named defendant in this case, and that I believe probable cause exists for the arrest of the defendant on the charges because of the following facts and circumstances. This information is not based upon any independent or personal knowledge of these events, unless specifically noted.

The following is based on reports, statements, and items provided by law enforcement, investigators, regulatory agencies, experts, and public information and not on personal knowledge. The purpose of this affidavit is to establish probable cause for the crime charged, not to summarize the entire case.

The Washington State Legislature has authorized and delegated responsibility to the Washington State Department of Fish and Wildlife (WDFW) to preserve, protect, and manage wildlife in the State. RCW 77.04.012. As such, WDFW regulates the time, place, and manner of hunting in Washington. WDFW sets seasons and harvest rules every year for hunting deer, elk, bear, and other animals. Generally, there is an "early" and "late" season for hunting deer

1 and elk. Within each of these seasons, there are days set aside for archery hunting,  
2 muzzleloader hunting, and modern hunting. Because archery is a more technical form of  
3 hunting, archery hunters may also hunt with a bow and arrow during muzzleloader and  
4 modern hunting times. Similarly, muzzleloader hunters may hunt with a muzzleloader during  
5 modern hunting times. WDFW also sets hunting hours each season. Generally, they are one-  
6 half hour before sunrise to one-half hour after sunset. Hunters must purchase a tag prior to  
7 hunting. Additionally, WDFW has divided Washington State into various Game Management  
8 Units (GMUs). Washington Administrative Code (WAC) Chapter 220-410 details boundary  
9 descriptions for each GMU. North Bend, where all of the incidents in this case took place, is  
10 located King County and in GMU 460.

11 State law and WDFW regulations set a number of conditions that must be met prior to, during,  
12 and after hunting animals. Applicable conditions in this case are:

- 13 • Hunters are required to purchase tags prior to hunting for an animal and immediately  
14 place them on dead animals (WAC 220-413-020).
- 15 • Hunters cannot hunt at night (WAC 220-413-060(2)(a)).
- 16 • Hunters may only hunt during designated seasons (WAC 220-415-020, WAC  
17 220-415-050).
- 18 • Hunters must abide by bag limits for the specified animal and cannot hunt in excess of  
19 the allowable limit (WAC 220-415-020, WAC 415-050).
- 20 • Hunters must mail in the premolar tooth located behind the canine tooth of the upper  
21 jaw of any killed black bears to WDFW (WAC 220-415-090).
- 22 • Hunters cannot bait black bears (WAC 220-415-090).
- Hunters can only use 10 gallons of bait to hunt for elk (WAC 220-414-030).
- Hunters cannot trespass onto property to hunt and retrieve wildlife (RCW 77.15.435).
- Hunters must not waste a wildlife carcass (RCW 77.15.170).

Hunters sometimes use GPS tracking applications to assist in hunting. Mr. Smith uses a GPS  
tracking application called onXmaps. OnXmaps is an app that allows users to mark and label  
trails. It is often used by hunters to see where they have already tracked for an animal, and to  
see where property lines are so as to avoid trespassing.

### **Fall 2021 Violations**

On September 11, 2021, Mr. Smith posted two photos of a dead bull elk on his Instagram  
account, along with a description of how he tracked and killed the elk with a bow and arrow.  
OnXmaps data shows that Mr. Smith was in North Bend at the time, and that he created two  
waypoints on onXmaps, one labeled “smell elk,” and one labeled “elk sign.” A warrant return  
for Mr. Smith’s iPhone showed that several images of the dead elk were taken around 7 p.m.  
that day on a vacant lot in North Bend. Mr. Smith messaged two Instagram users about killing  
the elk on that day. However, according to WDFW records, Mr. Smith did not purchase an elk  
tag until October 1.

1 In the evening of September 25, Mr. Smith took a video at his residence in North Bend of two  
2 cubs and a female bear feeding on about 50 gallons of apples. The apples had been placed in a  
3 substantial pile next to Mr. Smith's driveway, just steps from his front porch. Within 20  
4 minutes of taking the video, Mr. Smith took another photo of a bloodied leaf and his GPS  
tracking application indicated that he had begun tracking an animal. Shortly after, Mr. Smith  
took photos and videos of bear cubs up in trees. The videos depict the bear cubs calling out in  
distress. Mr. Smith marked the location of the tree on his onXmaps as "cubs treed."

5 The following day, on September 26, Mr. Smith posted on Instagram about the previous  
6 evening. He wrote that he "had an opportunity at a great black bear with [his] bow." He then  
7 described how he made a "great shot that hit hard and penetrated deep." He tracked the bear  
8 for two and a half hours that evening, but gave up. OnXmaps tracking showed that Smith  
hunted for the wounded bear over three different properties in North Bend. Mr. Smith then  
wrote on Instagram that he returned that day, September 26, and after tracking the blood trail  
for over six hours, he could not find the bear.

9 Around 11 p.m. on September 29, Mr. Smith took a photo of another bear eating from the  
10 same pile of apples located outside of his house in North Bend. The following morning, he  
11 photographed a dead bear that was located about 38 yards from the bait pile. Mr. Smith then  
posted a photo of himself with the dead bear on Instagram. He, again, included a caption  
stating:

12 "I wanted this bear bad especially after my failed attempt a week prior.  
13 Persistence in the mountains pays. If you quit, the hunt is over. I love that  
there are no participation trophies in the mountains. You get what you  
earn. Nothing more, nothing less."

14 Mr. Smith then messaged with three individuals about killing the bear, telling one that he shot  
15 it the night before (September 29) and recovered it that morning (September 30). Mr. Smith  
did not submit the bear's premolar tooth to WDFW.

16 Around 8 p.m. on October 1, Mr. Smith took a photo of blood on a leaf. Legal hunting hours  
17 had ended at 5:20 p.m. that evening. The following morning, Smith photographed a dead bear  
18 that was different from the one he killed on September 29. The metadata from the photo  
shows that the bear was located 24 yards from the bait pile outside of his house. He then took  
19 a series of photos of himself with the dead bear. Mr. Smith messaged another Instagram user  
that he shot the bear the evening prior (October 1) and found the bear 30 yards from where he  
20 shot it. Based on his statements, he likely shot the bear 28 yards from the bait pile. Almost a  
week later, on October 7, Mr. Smith posted a photo of that bear skinned. Mr. Smith never  
submitted this bear's premolar tooth to WDFW.

21 On October 29, Mr. Smith posted a photo of himself with a dead deer buck on Instagram,  
22 along with a post detailing his attempts to kill a buck a week prior but failing to do so.  
Between 9:29 a.m. and 9:46 a.m., Mr. Smith texted four people "big buck down." However,

1 Mr. Smith did not purchase a deer tag until 9:39 a.m. on October 29, but the photo of the dead  
2 buck was taken at 10:02 a.m., indicating that Mr. Smith likely killed the buck, purchased the  
tag, and then returned for a photo.

3 On November 1, Mr. Smith took a photo of a dead buck located about 50 yards from the bait  
4 pile at his house in North Bend. The photo depicts a tag on the deer, however, Mr. Smith  
already used his deer tag on October 29, indicating that this tag was likely not a permissible  
5 tag. Regardless, the limit for deer hunting each year is one deer. Further, deer season closed in  
the area on October 31.

6 Two weeks later, on November 14, Mr. Smith took another photo of himself with a dead buck  
7 in North Bend. Mr. Smith also had created a waypoint on his onXmaps account labeled  
“buck,” with the track leading from two private properties in North Bend. This was the third  
8 deer that Mr. Smith harvested in 2021. Mr. Smith did not possess the required tags required to  
hunt deer, as he should have used his single allowed harvest of deer on October 29, 2021.  
9 Additionally, as mentioned above, deer season was closed in the area at this time.

10 On December 5, Mr. Smith took a photo of a dead deer on private property in North Bend.  
Although late archery season was open for deer hunting on December 5, Mr. Smith did not  
11 possess the required tags to hunt deer at this time, and, as this was his fourth deer killed in  
2021, Mr. Smith exceeded the bag limit of one deer per year.

## 12 **Fall 2022 Violations**

13 On September 10, 2022, the warrant return for Mr. Smith’s iPhone showed that he took a  
photo with a large elk carcass on the property of Victoria Bettes. Ms. Bettes spoke to an  
14 officer and said that she had issues with people trespassing and poaching on her property, and  
confirmed that Jason Smith did not have permission to hunt on it. Ms. Bettes further stated she  
15 had given permission to someone named Lee to hunt on her property on September 10, 2022.  
After Lee hunted, he indicated to Ms. Bettes that there was a fresh dead elk that he came  
16 across with its head cut off, as well as one of the quarters and the backstrap. Ms. Bettes  
reported this to WDFW. On October 6, WDFW Officer Moszeter investigated the incident  
17 and found an elk carcass with several meat bags on Ms. Bettes’ property. GPS data was used  
to determine that Mr. Smith’s photo was taken 12 yards from where Officer Moszeter found  
18 the dead elk. Although Mr. Smith had proper licensing to hunt elk on September 10, he did  
not have permission to be on Ms. Bettes’ property and he failed to retrieve edible portions of  
19 big game, and instead left it wasted on the property.

20 On October 16, Mr. Smith took a video of several elk feeding on two huge mounds of apples  
that clearly exceed 10 gallons, the legal bait limit. One of the piles had spilled over from a  
21 trailer, and the other pile was located about 10 yards from the trailer. One of the elk in the  
video was a bull elk. On that day, hunting hours ended at 7:05 p.m., thirty minutes after the  
22 sun set. At 8:06 p.m., Mr. Smith took a photo of the same bull elk dead. OnXmaps data

1 further showed that Mr. Smith trespassed onto Melody and David McMasters' property in  
2 North Bend while tracking the elk. In the morning of October 17, Mr. Smith took a photo of  
himself with the dead bull elk. On October 16, Mr. Smith only had a license and tag for the  
general archery season, which ran from September 10-22.

3  
4 Later in the evening of October 17, Mr. Smith took a video of a mound of apples in and  
around the same trailer. In the video, a bear can be seen approaching the bait pile. Mr. Smith  
also took a video of the bear eating next to the pile of apples. The next morning, Mr. Smith  
5 took a photo of a dead bear. Mr. Smith's onXmaps data shows that he tracked blood onto the  
McMasters' property in North Bend, and then marked a location with a bear icon on the  
6 McMasters' property. The dead bear was located within 200 yards of the pile of apples, and  
roughly 162 feet into the McMasters' property. Mr. Smith, again, did not submit a premolar  
7 tooth. On October 18, Mr. Smith posted photos of the dead bear on Instagram as well as a post  
on hunting and tracking bears.

8  
9 Two days later, in the evening of October 19, Mr. Smith took a video of himself observing a  
herd of elk feeding from the bait pile. The video is a minute and a half long. The video depicts  
Mr. Smith holding a bow and arrow, with the arrow pointed at the elk ready to fire.

10  
11 In summary, Mr. Smith hunted three bears, four deer, and an elk in 2021, killing and taking  
photos of and with all but one of the bears. The three bears were hunted over the course of  
eight days using an estimated 50 gallon pile of apples as bait. In 2022, Mr. Smith hunted and  
12 killed three elk and one black bear. The bear and two of the elk were hunted over the course  
of three days, again using a several dozen gallons pile of apples as bait. In addition to illegally  
13 baiting animals, Mr. Smith hunted without proper tags, hunted during closed seasons, hunted  
over the bag limit, failed to submit bear premolars, retrieved animals from private property  
14 without permission, and wasted wildlife.

15 State's Motion to Set Conditions of Release – The State moves the Court to order the  
defendant to not hunt during the pendency of this case. The State further moves the Court to  
16 order the defendant to have no criminal law violations.

17 Based upon a review of the database maintained by state and federal agencies, the State's  
understanding of the defendant's criminal history is set forth in Appendix A, attached hereto  
18 and incorporated herein by reference.

19 I certify under penalty of perjury under the laws of the State of Washington that the foregoing  
is true and correct.

20 ///

21 ///

1 DATED this 6th day of September, 2023 at Mill Creek, Washington.

2 ROBERT W. FERGUSON  
3 Attorney General

4 

5 COURTNEY BLACKBURN, WSBA #: 55161  
6 Assistant Attorney General  
7 Washington Office of the Attorney General  
8 Environmental Protection Division  
9 800 5<sup>th</sup> Avenue, Suite 2000  
10 Seattle, WA 98104-3188  
11 Tel: (206) 464-7744  
12 Fax: (206) 587-5088  
13 Email: [Courtney.Blackburn@atg.wa.gov](mailto:Courtney.Blackburn@atg.wa.gov)

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DEPARTMENT OF  
JUDICIAL ADMINISTRATION

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING**

8 STATE OF WASHINGTON,

9 Plaintiff,

10 v.

11 JASON L. SMITH,  
12 DOB: [REDACTED]

13 Defendant.

NO. 23-1-05293-1 SEA

INFORMATION

14 I, Robert W. Ferguson, Attorney General of Washington, in the name and by the authority of  
15 the State of Washington, pursuant to RCW 43.10.1232 and at the request of Leesa Manion,  
King County Prosecuting Attorney, hereby allege JASON L. SMITH did commit the  
following crimes:

16 Count 1: UNLAWFUL HUNTING OF BIG GAME IN THE FIRST DEGREE, committed as  
17 follows: That the defendant, on or about September 25 through October 2, 2021, hunted for  
18 three or more big game animals, to wit: black bears, within the same course of events and in  
19 violation of WAC 220-415-090 and RCW 77.15.245(1), unlawful baiting of black bears;  
proscribed by RCW 77.15.410(2), a felony. (Max penalty: 5 years confinement and \$10,000  
fine)

20 Count 2: UNLAWFUL HUNTING OF BIG GAME IN THE FIRST DEGREE, committed as  
21 follows: That the defendant, on or about October 16 through October 19, 2022, hunted for  
22 three or more big game animals, to wit: black bear and elk, within the same course of events  
and in violation of WAC 220-415-090 and RCW 77.15.245(1), unlawful baiting of black  
bears, and WAC 220-414-030, unlawfully using bait in excess of 10 gallons to attract elk;

1 proscribed by RCW 77.15.410(2), a felony. (Max penalty: 5 years confinement and \$10,000  
fine)

2  
3 Count 3: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about September 11, 2021, hunted for a big game  
4 animal, to wit: elk, and did not have and possess all licenses, tags, or permits; in violation of  
RCW 77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

5  
6 Count 4: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about October 29, 2021, hunted for a big game animal,  
7 to wit: deer, and did not have and possess all licenses, tags, or permits; in violation of RCW  
77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

8  
9 Count 5: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about November 1, 2021, hunted for a big game animal,  
10 to wit: deer, and did not have and possess all licenses, tags, or permits; in violation of RCW  
77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

11  
12 Count 6: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about November 14, 2021, hunted for a big game  
13 animal, to wit: deer, and did not have and possess all licenses, tags, or permits; in violation of  
RCW 77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

14  
15 Count 7: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about December 5, 2021, hunted for a big game animal,  
16 to wit: deer, and did not have and possess all licenses, tags, or permits; in violation of RCW  
77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

17  
18 Count 8: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about October 16, 2022, hunted for a big game animal,  
19 to wit: elk, and did not have and possess all licenses, tags, or permits; in violation of RCW  
77.15.410(1) and WAC 220-413-020, a gross misdemeanor. (Max penalty: 364 days of  
confinement and \$5,000 fine)

20  
21 Count 9: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE, committed  
as follows: That the defendant, on or about October 16, 2022, hunted for a big game animal,  
22 to wit: elk, and violated department rules regarding closed times under WAC 220-413-



1 060(2)(a) by hunting after hunting hours ended; in violation of RCW 77.15.410(1), a gross  
2 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

3 Count 10: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
4 committed as follows: That the defendant, on or about November 1, 2021, hunted for a big  
5 game animal, to wit: deer, during closed seasons under WAC 220-415-020; in violation of  
6 RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement and \$5,000  
7 fine)

8 Count 11: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
9 committed as follows: That the defendant, on or about November 14, 2021, hunted for a big  
10 game animal, to wit: deer, during closed seasons under WAC 220-415-020; in violation of  
11 RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement and \$5,000  
12 fine)

13 Count 12: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
14 committed as follows: That the defendant, on or about October 16, 2022, hunted for a big  
15 game animal, to wit: elk, during closed seasons under WAC 220-415-020; in violation of  
16 RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement and \$5,000  
17 fine)

18 Count 13: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
19 committed as follows: That the defendant, on or about November 1, 2021, hunted for a big  
20 game animal, to wit: deer, in excess of the allowable bag limit under WAC 220-415-020; in  
21 violation of RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement  
22 and \$5,000 fine)

Count 14: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about November 14, 2021, hunted for a big  
game animal, to wit: deer, in excess of the allowable bag limit under WAC 220-415-020; in  
violation of RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement  
and \$5,000 fine)

Count 15: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about December 5, 2021, hunted for a big  
game animal, to wit: deer, in excess of the allowable bag limit under WAC 220-415-020; in  
violation of RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement  
and \$5,000 fine)

Count 16: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about October 16, 2022, hunted for a big  
game animal, to wit: elk, in excess of the allowable bag limit under WAC 220-415-020; in

1 violation of RCW 77.15.410(1), a gross misdemeanor. (Max penalty: 364 days of confinement  
and \$5,000 fine)

2 Count 17: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
3 committed as follows: That the defendant, on or about September 30, 2021, killed and  
4 possessed a big game animal, to wit: black bear, and failed to submit a premolar tooth as  
5 required by department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
6 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

7 Count 18: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
8 committed as follows: That the defendant, on or about October 2, 2021, killed and possessed a  
9 big game animal, to wit: black bear, and failed to submit a premolar tooth as required by  
10 department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
11 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

12 Count 19: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
13 committed as follows: That the defendant, on or about October 17, 2022, killed and possessed  
14 a big game animal, to wit: black bear, and failed to submit a premolar tooth as required by  
15 department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
16 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

17 Count 20: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
18 committed as follows: That the defendant, on or about October 16, 2022, hunted for a big  
19 game animal, to wit: elk, and used over 10 gallons of bait to attract the elk in violation of  
20 department rule: WAC 220-414-030; in violation of RCW 77.15.410(1), a gross  
21 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

22 Count 21: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about September 25, 2021, hunted for a big  
game animal, to wit: black bear, and used bait to attract the black bear in violation of  
department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

Count 22: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about September 29, 2021, hunted for a big  
game animal, to wit: black bear, and used bait to attract the black bear in violation of  
department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

Count 23: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
committed as follows: That the defendant, on or about October 1, 2021, hunted for a big game  
animal, to wit: black bear, and used bait to attract the black bear in violation of department

1 rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross misdemeanor. (Max  
penalty: 364 days of confinement and \$5,000 fine)

2 Count 24: UNLAWFUL HUNTING OF BIG GAME IN THE SECOND DEGREE,  
3 committed as follows: That the defendant, on or about October 17, 2022, hunted for a big  
4 game animal, to wit: black bear, and used bait to attract the black bear in violation of  
department rule: WAC 220-415-090; in violation of RCW 77.15.410(1), a gross  
5 misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

6 Count 25: UNLAWFUL HUNTING PRACTICE – BLACK BEAR BAITING, committed as  
follows: That the defendant, on or about September 25, 2021, unlawfully attracted and hunted  
7 black bear with the aid of bait, to wit: apples; in violation of RCW 77.15.245(1), a gross  
misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

8 Count 26: UNLAWFUL HUNTING PRACTICE – BLACK BEAR BAITING, committed as  
follows: That the defendant, on or about September 29, 2021, unlawfully attracted and hunted  
9 black bear with the aid of bait, to wit: apples; in violation of RCW 77.15.245(1), a gross  
misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

10 Count 27: UNLAWFUL HUNTING PRACTICE – BLACK BEAR BAITING, committed as  
11 follows: That the defendant, on or about October 1, 2021, unlawfully attracted and hunted  
black bear with the aid of bait, to wit: apples; in violation of RCW 77.15.245(1), a gross  
12 misdemeanor. (max penalty: 364 days of confinement and \$5,000 fine)

13 Count 28: UNLAWFUL HUNTING PRACTICE – BLACK BEAR BAITING, committed as  
follows: That the defendant, on or about October 17, 2022, unlawfully attracted and hunted  
14 black bear with the aid of bait, to wit: apples; in violation of RCW 77.15.245(1), a gross  
misdemeanor. (Max penalty: 364 days of confinement and \$5,000 fine)

15 Count 29: UNLAWFUL WASTE OF FISH AND WILDLIFE, committed as follows: That the  
16 defendant, on or about September 10, 2022, possessed big game, to wit: elk, and recklessly  
allowed wildlife to be wasted; in violation of RCW 77.15.170, a gross misdemeanor. (Max  
17 penalty: 364 days of confinement and \$5,000 fine)

18 Count 30: UNLAWFUL HUNTING ON, RETRIEVING WILDLIFE FROM, OR  
COLLECTING WILDLIFE PARTS FROM THE PROPERTY OF ANOTHER, committed as  
19 follows: That the defendant, on or about October 16, 2022, knowingly entered unlawfully  
onto the premises of another, to wit: the McMasters' property located at 16530 Cedar Falls Rd  
20 SE, North Bend, WA for the purposes of hunting, retrieving, or collecting wildlife parts; in  
violation of RCW 77.15.435, a misdemeanor. (Max penalty: 90 days of confinement and  
21 \$1,000 fine)

1 Count 31: UNLAWFUL HUNTING ON, RETRIEVING WILDLIFE FROM, OR  
2 COLLECTING WILDLIFE PARTS FROM THE PROPERTY OF ANOTHER, committed as  
3 follows: That the defendant, on or about October 17, 2022, knowingly entered unlawfully  
4 onto the premises of another, to wit: the McMasters' property located at 16530 Cedar Falls Rd  
SE, North Bend, WA for the purposes of hunting, retrieving, or collecting wildlife parts; in  
violation of RCW 77.15.435, a misdemeanor. (Max penalty: 90 days of confinement and  
\$1,000 fine)

5 Count 32: UNLAWFUL HUNTING ON, RETRIEVING WILDLIFE FROM, OR  
6 COLLECTING WILDLIFE PARTS FROM THE PROPERTY OF ANOTHER, committed as  
7 follows: That the defendant, on or about September 10, 2022, knowingly entered unlawfully  
8 onto the premises of another, to wit: the Bettes' property located at the Northwest Quarter,  
Section 9, Township 23, Range 8 in North Bend for the purposes of hunting, retrieving, or  
collecting wildlife parts; in violation of RCW 77.15.435, a misdemeanor. (Max penalty: 90  
days of confinement and \$1,000 fine)

9 DATED this 6th day of September, 2023.

11 ROBERT W. FERGUSON  
12 Attorney General



13 COURTNEY BLACKBURN, WSBA #: 55161  
14 Assistant Attorney General  
15 Washington Office of the Attorney General  
16 Environmental Protection Division  
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