

August 23, 2007

USDA, Office of Inspector General
Room 117-W Jamie Whitten Bldg
1400 Independence Avenue SW
Washington, DC 20250

RE: Request for Formal Investigation into Allegations of Misconduct by USDA
Wildlife Services Employees

Dear Inspector General,

The undersigned groups hereby request a formal investigation into the possible misconduct of one or more USDA Wildlife Services (WS) employees undertaken while acting within the course of duty in southern New Mexico on July 5, 2007. According to media reports, an incident among three WS officers and a biologist from the New Mexico Game and Fish Department (NMGF) occurred following WS' killing of a Mexican gray wolf on the Gila National Forest. While certain details remain unclear, this incident raises sobering questions regarding not only the professionalism of WS and its agents, but also the legality of these agents' actions.

The following facts support our request:

- The USDI Fish & Wildlife Service (FWS) is currently working with five partner agencies (the USDA Forest Service, the New Mexico Game and Fish Department (NMGF), the Arizona Game and Fish Department, WS, and the White Mountain Apache Tribe) to recover the federally-listed endangered Mexican gray wolf to portions of New Mexico and Arizona pursuant to the Endangered Species Act (ESA).
- The Mexican gray wolf population within these two states has been labeled as "experimental, nonessential" under the ESA, and is thus subject to flexible management techniques. These techniques include government sanctioned lethal control of wolves that conflict with cattle. Standard Operating Procedure (SOP) 13 sets forth the scheme by which FWS and its management partners direct and execute Mexican gray wolf removals.
- On July 3, 2007, the FWS authorized and issued a lethal take order for the alpha female of the Mexican gray wolf Durango Pack, AF924, per SOP 13.
- WS was charged with executing this lethal take order, and at least three WS agents were dispatched into the field to kill AF924.
- On or about July 5, 2007, NMGF requested a brief, temporary hold on the lethal take order for AF924 to ensure adequate communication had occurred regarding the circumstances of this removal.

- On or about July 5, 2007, FWS approved this temporary hold, thereby invalidating the order to kill AF924.
- On July 5, 2007, NMGF and possibly FWS attempted to contact WS in the field by telephone in order to alert its agents to the fact that the lethal take order had been suspended, and to thus instruct WS not to kill AF924.
- No attempt to contact WS in order to cancel the lethal take order was successful.
- On July 5, 2007, NMGF sent one of its biologists, 26-year-old Angela Dassow, to make personal contact with the dispatched WS agents in the field before the lethal take order was executed, so that the killing of AF924 would be avoided.
- Ms. Dassow was successful in making personal contact with the WS agents in the field, but only after the agents had carried out the suspended lethal take order for AF924.
- According to Ms. Dassow, one unnamed WS agent lifted his rifle and pointed it at Ms. Dassow, stating that she had no business being in the vicinity.
- The two other dispatched WS agents were present for, and witnessed, this incident.
- Ms. Dassow left the scene physically unharmed, but shortly thereafter left her position with NMGF because of her encounter with these WS agents.

Media reports state that this incident is being investigated by the Catron County, New Mexico Sheriff's Department. Whether this investigation has been concluded is unknown. It is clear, however, that Catron County officials are vehemently opposed to all Mexican wolf reintroduction and recovery efforts in the Gila National Forest, and thus favor the killing of wolves in New Mexico. We are concerned that the inherent bias of those locally investigating this incident will compromise the course of the investigation and influence their ultimate conclusions about the legality of those events described.

Because the legality of federal agency action has been called into question, we believe and hereby request that a formal federal investigation and oversight in this matter be initiated. Specifically, we request investigation into:

- 1) what precluded WS from receiving one or more calls from NMGF and/or FWS before WS executed the lethal take order for AF924; and
- 2) whether one or more WS agents threatened Ms. Dassow with bodily harm or engaged in any other form of intimidation against her on July 5, 2007.

We request that within 30 days of your receipt of this letter that you inform us as to whether the USDA Inspector General's Office has taken action in response to this request. We look forward to your thorough examination of the events described herein, and trust that any and all illegal or unethical behavior on the part of federal employees will be addressed. If, however, your office declines to launch an investigation into the above described incident, we respectfully request that you provide us with a justification for such declination.

Signed,

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