



Charges Dropped In Bear Self-Defense Shooting

When the government infringes upon Second Amendment rights through regulation and harsh gun control, it is accused of violating one's right to self-defense. There is no greater example of this violation, however, than when the federal government attempted to punish a man for killing a grizzly bear that threatened his life and the lives of his family. Fortunately, when the story was publicized and received a great deal of negative media attention, federal prosecutors decided to drop the charges.



Idaho resident Jeremy Hill faced trial after he killed a grizzly bear that came into his yard on May 8. According to Hill, his six children were playing in their yard when three grizzly bears — a mother and her two cubs — entered the property. The children called to their father who was inside of his home. He immediately came out with a rifle.

According to neighbors of the Hill family, the bears had visited several properties that day before their stop at the Hill home. Neighbor Bob Vickaryous told *The New American* that the bear appeared on his own property, as well as the neighbor Tom Davis' property. Vickaryous indicates that Davis actually fired off a round of warning shots to scare the bears off, but that the bears appeared unafraid of the weapon and its sounds and remained until they eventually ventured off on their own and arrived at the Hill property.

Hill shot one of the bears, thereby scaring the others away. He then reported the incident to the proper state authorities, who raised no issue with the incident. However, once federal authorities learned of the incident, they charged Hill with killing an endangered species, as the grizzly bear is a threatened species in the lower 48 states, and therefore protected by federal law.

As a result of the charges, Hill faced a year in prison and a \$50,000 fine. His trial was set to begin on October 4.

However, Hill's story attracted a number of supporters, including Idaho Governor Butch Otter, who told the Obama administration in a letter that he supports the right of Jeremy Hill to defend himself and his family. The [letter](#), submitted to Secretary of the Interior Ken Salazar on August 22, read:

I recognize the federal jurisdiction under the Endangered Species Act, but I strongly support the right of individuals to defend themselves and others in such situations. Many, including me, feel Mr. Hill did what a concerned parent would do. Now, Jeremy and his family must endure the cost of the trial.

Otter's letter went on to explain that the prosecution could potentially impact recovery efforts because the community would be less likely to offer their support.

Otter also declared that the government's priorities are a tad askew:

One of the flaws of the ESA is the premium it places on protecting species at the expense of



Written by [Raven Clabough](#) on September 9, 2011

everything else. Although an individual can protect human safety under the law — as Jeremy felt he was doing — it's a shame that the Endangered Species Act still does not enable citizens to protect their private property and pets in the same manner.

Governor Otter's letter to the Obama administration came at the behest of the Boundary County commissioners, who addressed a letter to Otter asking for him to get involved and come to the aid of Jeremy Hill: "We feel that at all costs, this man has the obligation and responsibility to protect his children. This is not some flagrant or malicious act. We urge you to do all that is in your power to have this matter settled."

In August, Hill appeared at the U.S. Courthouse in Coeur d'Alene, where he plead not guilty to unlawfully killing a female grizzly bear in his yard. Hill reportedly had so many supporters appear at the courthouse for him that the arraignment was forced to be moved into a larger room.

In attendance was Idaho state Senator Shawn Keough, who said after the hearing, "It seems unjust to me that someone would be charged when they were protecting their family. I'm at a loss to understand why the U.S. government is pursuing this in the manner they are."

Following in the same vein as Governor Otter, Keough continued, "Jeremy did the right thing, he called Fish and Game. I think that prosecuting this case really sets back the grizzly bear recovery effort.... People are saying, 'Boy, if that happened to me, there's no way that I'd report it.' That's a human reaction."

Governor Otter's assertions that the government's charging of Hill would discourage Americans from complying with wildlife recovery are certainly realistic. For example, Vickaryous told *The New American* that he believes the Endangered Species Act should be entirely repealed, and given the experiences his neighbor has had to endure, he may find some support in such a push.

Members of Hill's community were so sympathetic towards his plight that they [raised](#) \$19,558 for a defense fund for Hill's family at a 4-H animal sale in Bonners Ferry.

On September 7, after mounting pressure from a variety of different sources, the federal government decided to [drop](#) the charges filed against Jeremy Hill.

Chron.com reports:

As part of a deal, Hill agreed his actions violated a regulation of the Endangered Species Act against removing nuisance bears and paid a \$1,000 fine. The act classifies the grizzly bear as a threatened species in the lower 48 states, and the animals are protected by federal law.

U.S. Attorney Wendy Olson issued a press release which indicated, "The United States Attorney's Office well understands Mr. Hill is a concerned husband and father who wants to protect his family."

However, according to Olson, investigators were unable to determine the location of Hill's children when the bears approached, and were therefore unable to determine whether there was acute danger that necessitated the killing of the bear.

Hill, grateful that the ordeal is over, issued a statement thanking all of those who supported him.

"We have been overwhelmed by the outpouring of concern from the many people who have contacted us. I received a federal civil ticket and have paid the \$1,000 fine to avoid putting my family through the emotional strain and the cost of a trial. I am glad this issue has been resolved out of court, and I am looking forward to putting this unfortunate incident behind me."



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Hill's lawyer, Marc Lyons, points to this case as a reason for the federal government to review some of its provisions that regulate how people can respond to potentially dangerous wildlife.

"This unfortunate event underscores the need to critically review and evaluate the Endangered Species Act so that people can use reasonable and appropriate actions to protect their families, homes and property," Lyons said.



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