

# Lethal Hazard

A Wildlife Services trap set for nutria kills a pet dog

**M**aggie was only 7-years-old on Aug. 27, the morning she died just a few feet from her fenced-in back yard. For reasons unknown, the backyard gate was open that morning. Within minutes of stepping outside, Maggie, who loved to swim and camp with the family and play fetch with Squeaks the kitten, had her neck broken and windpipe crushed.

Denise McCurtain heard frantic knocking at her door. A neighbor asked if the family had a black and white dog. She said she'd seen one by the water but it wasn't moving. The dog was Maggie. She was immobile because her head was caught in the vice grip of a Conibear "instant-kill" trap set by Wildlife Services, a federal government (USDA) department. Maggie was still breathing, her eyes flashing in fear and pain from the more than 90 pounds of pressure that slammed the trap's jaws shut around her neck when she stuck her nose in to sniff the bait. No one knew how to get the trap off. There were no instructions on the device, no numbers to call. Maggie's family and neighbors located pliers and screwdrivers and were able to move the trap's springs enough to get her head out. But it was too late. Maggie lapsed into shock and died.

The deadly trap was set just 45 feet from the McCurtain's backyard in a gated community in Gresham. The trap, located in an area where children play, was set to kill nutria, aquatic rodents considered pests. A homeowners' association email notified neighbors that traps would be placed along the lake, but included no information as to the type used, nor any warning of the danger they posed to pets or people, and no information on how to open them.

McCurtain kept a detailed record. She took photographs of the yard and of the traps and called the Oregon State Police. A state trooper came to the McCurtain's home and took a statement. When she asked the trooper why such dangerous traps were used in the first place, she was told that the government-paid Wildlife Services trapper wanted to speed up the process. While she had the police's sympathies, she was told that the trapper had done nothing criminal and that there was nothing the authorities could do. The empathetic trooper suggested they contact an attorney.

The McCurtains learned they had few legal options. Those who chose to file a federal tort claim for compensation are limited to the value of property lost, including pets (pets are considered property, not persons). The amount of the claim for most pets is small and a person could spend thousands of dollars trying to get compensation.

In many cases, people simply give up because constantly revisiting the trauma of the loss of their pet is too intense and because the specter and expense of taking on the federal government is too frightening. But the McCurtains, assisted by Eugene-based Predator Defense, are fighting to bring attention to end this practice and to expose the activities of Wildlife Services. Assisted by Predator Defense, a freedom of information request (FOIA) request was filed on their behalf.

Wildlife Services spends approximately \$126 million a year killing wildlife. According to Brooks Fahy, executive director of Predator Defense, "In addition to the known victims, thousands of pets presumed missing each year are likely killed by Wildlife Services' traps and poisons." Endangered species and even people have stepped in the traps or been poisoned. Traps are used to capture and kill beaver, coyote, lynx, nutria, otter and raccoon, but they are indiscriminate. According to the manufacturer's website, oneidavictor.com, these traps "should not, however, be used where non-target animals are at risk for capture" because they are strong enough to maim, injure and kill a child.

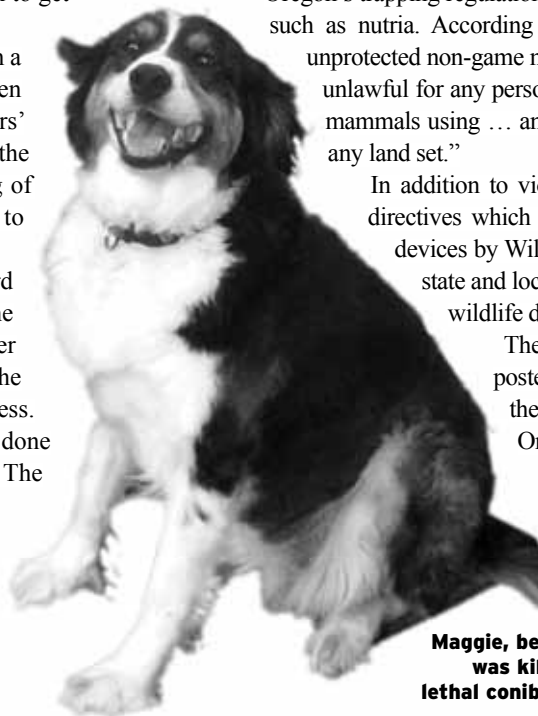
Oregon's trapping regulations are liberal, especially for traps set for unprotected mammals such as nutria. According to regulations, "unmarked traps or snares may be set for unprotected non-game mammals by any person upon land that they lawfully own. It is unlawful for any person to trap for furbearers, predatory animals and/or unprotected mammals using ... any instant kill trap having a jaw spread of 9 inches or more in any land set."

In addition to violating state law, Wildlife Services violated its own internal directives which state "the use of all traps, snares, and other animal capture devices by Wildlife Services employees will comply with applicable federal, state and local laws and regulations related to animal capture for managing wildlife damage."

There were no labels on the traps and no warning signs were posted. The trap that killed Maggie was 9 inches and was set in the homeowners' association common area, a clear violation of Oregon's trapping regulations.

"How could the government that's supposed to be protecting us put something so deadly in our neighborhood? Every neighborhood is vulnerable. If they can do it here, they can do it anywhere," said Dennis McCurtain. **EW**

A longer version of this story is on our website. See [www.predatordefense.org](http://www.predatordefense.org) for more information on the traps and go to <http://wkly.ws/6e> for how to release your dog from a Conibear trap.



Maggie, before she was killed by a lethal conibear trap



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