

SITUATIONAL ETHICS

SITUATIONAL ETHICS QUESTIONS (Answers can be found at the end of the Questions Section)

1. The ideal shot will put a big game animal down in its tracks. However there are times when what should have been a good shot does not put the animal down and it scoots out of sight wounded. No hunter wants to see a wounded animal in the wild. So if a wounded mule deer doe or cow elk passes by a hunter who does not have a tag to harvest such an animal, is it legal to put the animal out of its misery in Washington?
2. A hunter stays out on a stand until after legal shooting hours. During the two-mile hike to the vehicle a wounded big game animal is spotted in the beam of the headlamp worn by the hunter. What are the legal options of the hunter?
3. What are the three most common hunting violations in Washington?
4. A trophy buck shows up within 300 yards of and across a ravine from three hunters, all hunting buddies. The hunters are not within sight of each other. Consequently all three take aim and fire. Same buck, but this time the three hunters are standing side by side. They all take aim and fire. Explain why each situation is legal or not legal?

5. Two hunters are sitting together watching the ravine below them and the hill on the other side of the ravine, longest shot possible 400 yards. One hunter has a cow elk tag, but has never shot an elk before. A cow trots out of cover and within sight at 150 yards. The legal hunter, obviously not a good shot or suffering from a good old case of buck fever, shoots and misses.

The second shot is at 175 yards and is, again, a miss. The elk is at the bottom of the ravine now and the shot is not a good one at 300 yards, as his partner tells him, but he shoots anyway. It is a miss. The cow angles up the other side of the hill and therefore is closer than when at the bottom. At 250 yards the hunter shoots again and misses again. It is the last of four shells in his clip.

Not to say it would do any good, but is it legal for his buddy to hand the unsuccessful hunter his fully loaded rifle to keep shooting?

6. Explain what a landowner must do to post land, so hunters know which land is privately owned. Is there a certain size of sign that is needed? How close together should the signs be placed? Some states don't require signs, but the painting of fence posts with orange paint, please explain.
7. If a piece of land is posted No Hunting, does it mean no one is allowed to hunt the land, including the landowner and his/her family? Explain the rule/law about using certain language on a No Hunting sign.
8. How long must the point of an antler be in areas where the taking of deer and elk are restricted by a certain number of antler points? How is the point measured? Are the bumps of antler growth near the head considered a point if one is long enough?
9. What is the minimum caliber rifle legal to hunt deer, Elk, and other big game? What shotgun slugs are allowed to hunt the various species of big game?

10. A hunter shoots a deer. It is down, but not dead. What size pistol or rifle is legal to dispatch a wounded animal?

SITUATIONAL ETHICS ANSWERS

1. Washington State law prohibits taking wildlife when a hunter does not have a valid license or tag to take it. Prior to dispatching any injured wildlife, the hunter should contact a Fish and Wildlife Officer or Fish and Wildlife office and obtain permission. Contact can normally be made through a local Washington State Patrol dispatch center, a regional office or through Enforcement Headquarters in Olympia. Contact numbers can be found on page 11, 64 and 65 of the 2011 Big Game Regulations. While we do not like to see any animal suffer, killing injured wildlife without prior authorization may subject the hunter to investigation and possibly a citation for hunting without a valid tag or even wastage.
2. Other than noting the location and possibly returning the next day to harvest the animal during lawful hours, it would be unlawful to dispatch the wounded animal after lawful hunting hours or with the aid of an artificial light. As in your first scenario above, it would be best to contact the local Fish and Wildlife Officer.
3. Possession of a loaded rifle or shotgun in a motor vehicle. Washington State law defines a “loaded firearm” as one containing live ammunition in the chamber or magazine. This includes a detachable magazine if it is still attached to the firearm in any manner and applies to all motor driven vehicles except a vessel. A muzzle loading firearm is considered loaded if it is loaded with powder and bullet, and is capped or primed.

Failing to properly tag an animal once it is taken. Regulations require that upon kill, the hunter must completely remove the month and day of kill from the tag and the tag must be attached to the animal.

Taking of a big game animal that does not meet the antler restrictions for the unit being hunted. More and more, Washington regulations specify antler restrictions such as true spike, spike only, branched antler, or three point or better in specific units. Officers increasingly contact hunters who have shot an animal that does not comply with the antler restrictions. Some of these mistakes are the result of hunters who fail to take the time to ensure that the animal they are shooting at truly meet the antler restrictions. They take a quick look, think they see the necessary antler points and shoot, only to get to the animal and see they are wrong. Taking a little extra time to be sure may save embarrassment and money later. If you aren't sure, it is best not to pull the trigger.

4. Both situations are legal assuming all three hunters have valid licenses and tags and the season is open. The hunter who kills the animal would be required to properly tag it. If all three felt they had fired the fatal shot, they must decide who will claim and tag the animal. If they later split up the deer, the two hunters who did not tag it would be provided a written statement from the shooter to possess a portion of the animal.
5. Yes, it would be legal to use the hunting partner's rifle. However, is it morally or ethically right to take a chance of wounding the animal and having it get away and die a slow death? Hunters who conduct themselves this way often lead to the situations you mention in the first and second scenarios above and probably should consider getting in more practice prior to going afield or finding another outlet for their recreational pursuits. Hunters must always remember that although their actions may be allowed by law, they may not always be ethical or in the true spirit of sportsmanship. Many hunters go afield and ultimately harvest game animals, but harvesting an animal should not be such an obsession that we forget our responsibility to the resource and other sportsmen and women.
6. State law does not address the issue. Generally the landowner controls access to his/her property and can change their mind and give permission to use the land at any time regardless of what sign is posted on the fence. A No Trespassing sign does not prohibit the landowner from giving permission to trespass. The same reasoning applies to a No Hunting sign. The landowner

can choose to allow someone to come onto his/her land and participate in a lawful activity. The state sets the seasons, but the landowner controls access to his/her land during those seasons.

Washington State law does not require the land to be posted in order to be considered for trespass. The statute says that “A person is guilty of criminal trespass in the second degree if he knowingly enters or remains unlawfully in or upon premises of another under circumstances not constituting criminal trespass in the first degree (entering a building).”

Generally we look for some outward sign of ownership or agricultural use of the land. This may be fences, signs, crops, pasture, livestock on the land, etc. If it looks like someone owns it and you have not obtained permission, then you could be liable for trespass. Take the steps ahead of time to find out who owns the land and ask permission. All land has an owner, be it public or private. If you are not sure if it is public or private, find out beforehand.

7. An antler point must be at least 1 inch measured from the longest side. Antler points are defined in the Big Game Hunting Rules. The Washington regulations also speak to the point being above the ear. This means above the tip of the ear, not the base. The bump is a point if it is long enough and not still in velvet. Pay particular attention to the “True Spike” definition if hunting in game management units. This restriction requires that both antlers must be spikes with no branching that originates more than four inches above where the antlers attach to the skull.
8. A deer antler point is a projection off any part of the antler measuring at least one inch in length measured from the longest side. Eye guards are antler points if they are at least one inch long. Unless a hunter has drawn an any bull permit, a bull taken in Spike Bull Restriction unit must have at least one antler that has only one antler point above the ear. An animal with a spike on one side, a 1 by 2, is legal in spike only units. An animal with more than one antler point above the ears on both sides, a 2 by 2, is illegal. A legal bull in a Three Point Bull Elk unit must have at least three antler points on one side with at least two of those antler points above the ear. Eye guards are antler points when they are at least one inch long. A 1 by 3 and a 2 by 3 are legal elk in a 3-point minimum unit.”

9. A firearm, excluding muzzleloaders, used to hunt big game, except cougar must be at least .240 caliber. Shotguns slugs are legal for all big game. Deer, bear and cougar may be hunted with a 20 gauge or larger shotgun using slugs. All other big game can be hunted with a 12 or 10 gauge shotgun using slugs. Check the current Hunting Seasons & Regulations pamphlet for legal hunting equipment regulations.

10. A firearm used to dispatch wounded game must meet the same requirements as a firearm that is used to hunt. Excluding muzzleloaders, rifles used to hunt big game must be at least .240 caliber and a pistol must be at least .240 caliber and have at least a four-inch barrel.