



## WDFW POLICE

Incident #: W21010536

Reporting Officer:

Report Time: 11/13/2021 14:14:00

### Incident

Incident Nature  
BIG GAME VIOLATION

Address  
BOULDER CREEK  
ROAD/FORREST SERVICE  
ROAD 500  
CURLEW, Washington 99118

Occurred From  
11/13/2021 08:00:00

Occurred To  
11/13/2021 08:15:00

Received By

How Received  
TELEPHONE

Contact

Disposition  
REFERRED TO PROSECUTOR

Miscellaneous Entry

Disposition Date

Judicial Status

Clearance

Circumstances

FERRY  
VEHICLE

### Offenses

Statute  
77.15.410.1B

Description  
HUNT BIG GAME-2ND  
VIOLATE RULE

Category

### Persons

## HOENES, BROCK D SUSPEC

Address 10530 TEMPO LAKE DR SE OLYMPIA Washington 98513	Phone (575)649-8201	DOB 10/06/1979
Race	Sex M	Ethnicity
Height 5'10"	Weight 155	

## Property

### EVID

Brand	Model	Serial Number
Color	Quantity	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 11/13/2021
Status	Owner HOENES, BROCK D	

### EVID

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Brand	Model	Serial Number
Color	Quantity	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 11/14/2021
Status	Owner HOENES, BROCK D	

### EVID

## Vehicles

### 2015 Toyota TUN

License C34210V	State Washington	Color GRAY
VIN 5TFBY5F18FX454799	Owner	License Type
Value \$0.00	Amount Recovered \$0.00	

### SUSP

## Narratives

### Original Narrative

**11/29/2021 16:47:12**

Law Incident Created By: konkmjk  
Law Incident Created On: 2021-11-13 16:41:13  
Narrative Created By: konkmjk  
Narrative Created On: 2021-11-13 20:13:08

On Saturday, November 13, 2021, I was on patrol, in full uniform and operating my marked patrol vehicle. I was on patrol in Stevens County, WA.

At approximately 1414 hours, I received a phone call from Washington Department of Fish and Wildlife (WDFW) Police Sergeant Bahrenburg via my department issued cell phone. Sergeant Bahrenburg advised me he received a phone call from Captain Jewell in reference to a self-report he had received that occurred in our patrol area, Ferry County. This was in reference to the WDFW Region 2 Director, Brock Hoenes, self-reporting the illegal take of a deer with a modern firearm in Game Management Unit (GMU) 101, an area closed at the time to hunting deer with a modern firearm. Sergeant Bahrenburg directed me to further investigate the incident along with Officer King. I met Officer King at the WDFW Colville Office, and we proceeded to the Republic area of Ferry County for further investigation.

During the time period of this incident the 2021 modern firearm deer season was currently active. This is listed under WAC 220-415-020 as well as on page 21 of the WDFW Big Game Hunting Pamphlet. On this same page of the pamphlet as well under the above-mentioned WAC, the Sherman Unit (GMU 101) was not open during the late modern firearm deer season. It is only open during this time period for individuals who possess an archery tag, not a modern firearm tag.

Upon our arrival to the Republic area, I contacted Brock Hoenes, via my department issued cell phone and advised him we would meet him at the Republic High School for further investigation. We arrived at the high school at approximately 1625 hours and contacted Hoenes, further identified by his Washington Driver's License as Brock D. Hoenes, DOB 10/6/1979. Upon contacting Hoenes, he showed Officer King and I the dead and quartered deer, a 4x4 whitetail buck, in the covered bed of his truck. The truck was a gray 2015 Toyota Tundra, bearing Washington registration C34210V.

Due to the fact Hoenes had self-reported and I was able to corroborate several of the details, I decided to read him his Constitutional Miranda Warnings at approximately 1628 hours. I read out loud to Hoenes his Miranda Rights directly from my WDFW issued Miranda Rights card. I asked Hoenes if he understood each of the rights, I had read to him. Hoenes stated "I do." I asked Hoenes if having those rights in mind, he wished to talk to me at that time. Hoenes stated "I do." Officer King was present when I advised Hoenes of his Miranda Rights.

I asked Hoenes where he killed the whitetail deer. Hoenes checked the location on his cell phone

and said he killed the buck off Boulder Creek Road near US Forest Service Road 500, Ferry County, WA, GMU 101. Hoenes informed me he had the GPS coordinates on his phone. Hoenes read out loud to me the following coordinates, N 48.880571 and W 118.426.424.

I asked Hoenes to tell me what occurred. Hoenes then said he used to be a WDFW Ungulate Section Manager, and he should have known better. Hoenes continued, he left his residence the previous day and went to Danville, WA in the dark. Hoenes said he parked and spent the night in his truck. Hoenes said the following morning he was in the Boulder Creek Road area, still hunting (walking a short distance then stopping). Hoenes said the deer he killed, jumped up at around 40 yards away and then ran to about 150 yards and stood. Hoenes said he could not see the vitals of the deer, so he moved a few steps. Hoenes said he then shot at the deer with his rifle and missed. Hoenes said he shot at the deer a second time, hitting it through the shoulders.

Hoenes said, after locating the deer, he started processing it at approximately 0815 to 0830 hours. Hoenes said he realized he had not heard or seen anyone. Hoenes said by 1000 hours he was pretty sure the GMU he was hunting in was not open for modern firearm deer. Hoenes said he had no cell coverage in the area he was in, so he could not confirm his suspicions it was closed. Hoenes said when he got into service, he got online and confirmed the GMU was closed.

Hoenes said he called his wife to advise her what occurred at approximately 1315 hours. Hoenes said he then called WDFW Police Captain Jewell at approximately 1335 hours and advised him what occurred. Hoenes said he then called WDFW Director Kelly Susewind at approximately 1342 hours and advised him what occurred.

Hoenes indicated he was unable to pack out the entire deer. He was uncertain if legally he was permitted to retrieve the rest of the deer after discovering he had harvested the deer during a closed time. Hoenes called Captain Jewell who gave him permission to retrieve the rest of the deer. Hoenes said he then went back and got the rest of the deer out of the field. I noted Hoenes had skinned and dressed out/quartered the deer. Additionally, Hoenes had affixed his deer tag to the deer. I later discovered Hoenes had notched the deer tag appropriately.

Hoenes made the following two statements. "I had it in my head it was open." "No excuse, its incredibly embarrassing."

I asked Hoenes if he had taken any pictures of the deer with his cell phone. Hoenes said he had. I asked Hoenes if he would text the photographs to my department issued cell phone. Hoenes consented and texted the photographs to my duty cell. The photographs will be attached to this report.

I then requested Hoenes fill out a written statement. Hoenes agreed to writing out a statement. Hoenes wrote out a statement on 11/13/2021 at approximately 1645 hours. Hoenes signed and dated the statement. The statement will be attached to this report and reads as follows verbatim.

"After watching a small 2-pt go over a ridge, I drove around to the other side and still hunted to the top. At the top the buck I shot jumped up and snorted @ me. It ran ~ 150 yds & stopped. I repositioned and was able to see it's vital. My first shot missed, but the buck didn't move. My second shot went through both front shoulders. I didn't see him fall but heard the crash. I believe it was ~ 8:15. As I began to process the deer I started to wonder why I wasn't hearing other shots or even vehicles. This was the first time I had the thought about GMU 101 not being open. As I continued to process the deer over the course of the next few hours, I grew more and more concerned I had messed up. I finished processing @ ~ 1130-1145 and hauled the loins, backstraps, neck meat, and two hind quarters down to my truck, I had already made the decision to go to town so I could get cell coverage and check the regs. Unfortunately, I had not done that the night before. My previous position w/WDFW was the Ungulate Section Mgr. and I simply knew 101 was open the night before. After realizing my predicament I called my wife @ 1:15 to tell her what I had done. We were both dumbfounded by how this happened. I told her I simply messed up. I spent the next 10-15 minutes trying to find a phone for Cpt. Mike Jewell. I called him and left a voicemail @ 1:39 pm. I then called Director Kelly Susewind @ 1:42 to notify him. I called my wife again @ 1:49 to let her know I self reported. Cpt. Jewell called me back @ 1:59 at which time we agreed I needed to get the rest of the deer and he would notify the Region 1 Detachment while I did that. **I wanted to make sure I notified Enforcement & the Director before doing anything else b/c there were people in the area cutting firewood and I didn't want them to think I was trying to sneak in and out if they saw me packing out the deer.** I got back to Republic @ 4:00 pm and met with officers @ the high school."

While Hoenes was writing out his statement, I requested he show me the rifle he used to kill the deer and to photograph/document the firearm. Hoenes consented and retrieved the rifle for me. The rifle was a Savage Model 110 bolt action rifle in caliber 30-06 Springfield, serial number G203243. The rifle was blued with a synthetic stock and a Nikon scope. The rifle was photographed by Officer King utilizing his department issued cell phone. The rifle was then returned to Hoenes.

The deer was seized as it was killed illegally. The edible meat was donated to the US Air Force Survival School per Sergeant Bahrenburg. The deer antlers and the deer tag were logged as evidence at the WDFW Colville Office in accordance with WDFW evidence policies and procedures. Photographs were taken utilizing both mine and Officer King's department issued cell phones.

I advised Brock Hoenes a report would be completed and then sent to the Ferry County Prosecutor's Office for any charging decisions. This was done under the direction of Sergeant Bahrenburg. Hoenes did try to ask Officer King and I if he should plead not guilty. Both Officer King and I advised Hoenes we could not give him any legal advice. I advised Hoenes he could contact Sergeant Bahrenburg if he had any additional questions. Hoenes said he had Sergeant Bahrenburg's cell number as Sergeant Bahrenburg had left him a message earlier regarding the incident on his cell.

The charge of Unlawful Hunting of Big Game 2nd Degree, RCW 77.15.410(b) is being referred to the Ferry County Prosecutor's Office on Brock Hoenes for charging. RCW 77.15.410(b) states; (1) A person is guilty of unlawful hunting of big game in the second degree if the person: (b) Violates any department rule regarding seasons, bag or possession limits, closed areas including game reserves, closed times, or any other rule governing the hunting, taking, or possession of big game. Hoenes

violated this RCW by hunting and illegally killing a whitetail deer with a modern firearm in a GMU currently closed to that method of hunting. Additionally, Hoenes violated subsection (a) of this RCW. RCW 77.15.410(a) states; (a) Hunts for, takes, or possesses big game and the person does not have and possess all licenses, tags, or permits required under this title. Hoenes violated this RCW by hunting deer with a modern firearm and modern firearm tag in a GMU open to archery deer hunting only. Hoenes did not have a valid archery deer tag. Lastly, Hoenes was given a verbal warning for not changing his address on his license, RCW 46.20.205. The address on Hoenes driver's license was 10530 Tempo Lake Drive SE, Olympia WA, 98513. Hoenes currently resides at 759 C Street NW, Ephrata, WA, 98823.

Additionally, the deer illegally killed is considered a non-trophy deer per RCW 77.15.420. The value of the deer per the RCW is \$2,000.00 if the violator is convicted of a 77.15.410 violation that results in the death of the wildlife involved.

## Supplemental Narrative

**11/18/2021 11:08:45**

Created By: kingdrk  
Created On: 2021-11-18 11:06:15

On 11/13/2021 I, Officer Douglas King, assisted Officer Konkle in interviewing a hunter who had self-reported taking a whitetail buck with a modern firearm in a closed GMU.

I was informed by my sergeant that the hunter was a WDFW employee, and I was to travel with Officer Konkle to conduct the interview. Officer Konkle and I drove to the Republic area and met with Brock Hoenes at about 1625 hours on the evening of November 13th.

Upon arrival we met Hoenes who opened the tailgate and canopy of his pickup truck and I could see a whitetail buck head with a tag attached to antlers and several meat bags in the bed of the truck.

I observed Officer Konkle read Hoenes his Miranda warnings and heard Hoenes state that he understood and wanted to answer questions. As Officer Konkle interviewed Hoenes (see Konkle's report for full interview details) I heard the following relevant information:

- \* Hoenes had come to the area to hunt deer for the late Modern Firearm season, arriving late the night before.
- \* He had not checked the regulations prior to hunting but thought this area was open.
- \* He should have known better as in his previous role as Ungulate Section Manager he had once had a last minute pamphlet change as the regulations nearly went out with Game Management Unit (GMU) 101 published as open. He had been corrected by the district biologist and made the change.
- \* He had shot the deer in GMU 101, off Boulder Creek Rd. (Hoenes provided Officer Konkle with GPS coordinates of the location). See attached map showing the location in GMU 101.
- \* He had realized it may be a closed area when by 10 am or so he had not encountered any other hunters or heard any gunshots.

I photographed the deer, rifle, and vehicle while Officer Konkle conducted the interview and Hoenes wrote out his statement.

During the course of the interview Hoenes was cooperative and apologetic.

Officer Konkle and I took the deer meat, head, and tag from Hoenes. Later that evening I donated the deer meat to the USAF survival school.