MONTANA COOPERATIVE WILDLIFE RESEARCH UNIT

UNIVERSITY OF MONTANA
MONTANA FISH AND GAME COMMISSION
WILDLIFE MANAGEMENT INSTITUTE
FISH AND WILDLIFE SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR

UNIVERSITY OF MONTANA

MISSOULA, MONTANA 59801

March 5, 1975

Dr. Frank C. Craighead Sr.
87 East Avenue
Naples, Florida 33940

Dear Dad:

I am enclosing a portion of Starker Leopold's testimony at the bear trial. Frank has already told you how it came out. It looks as though Starker's lieing and deceit has finally caught up to him.

I am going to see that his testimony and other testimonies get before the scientific community, and I have friends that will do likewise. It was sure good news to learn that all of the effort we put into providing the plaintiffs with information paid off. The old judge did his home work and read it; and because of it, he was able to catch all of the Park people in outright lies. Should have indited them for perjury.

I hope that you are feeling better and that your work is going well.

Lots of Love,

John

John J. Craighead, Leader
Mont. Coop. Wildl. Res. Unit

JJC:gs
Encl: ltr to grizzly bear committee
portion of Leopold's testimony

Intra-campus MEMORANDUM

UNIVERSITY OF MONTANA

March 5, 1975

TO: Grizzly Bear Committee

FROM: John J. Craighead

RE: Walker vs the United States government

The case of the walker family versus the United States government was heard in Los Angeles, and just a few days ago the judge rendered a verdict. He found the National Park Service greatly negligent and awarded the Walker family $87,000 to compensate for the death of their son who was killed by a grizzly bear near Old Faithful in 1972.

Frank appeared as a witness (Dr. F. C. Craighead) for the plaintiffs; and although I did not appear in court, I provided information that was requested by the lawyers of the plaintiffs. Perhaps one of the most interesting and significant aspects of the trial was that the judge in rendering his decision chastised the Park Service for attempting to impeach and destroy Frank's testimony. He caught many of those who testified in behalf of the Park Service in misstatements and attempts to deceive both the court and the public.

I am enclosing a portion of Starker Leopold's testimony, and you can judge for yourself Starker's roll in this whole affair. Unfortunately I do not have the entire testimony, but I expect to get it before long.

It's just possible that we may eventually straighten this whole thing out and get down to the truth. The American people deserve to hear it and so does the scientific community. I should add that the judge also admonished the Park for not continuing marking and radiotracking of bears, for not phasing out the dumps slowly, for not utilizing ten years of research, for not putting out elk carcasses for a food supplement, fot not informing the public of a situation that existed, and for not transporting troublesome bears far enough away that they did not return. All of these are recommendations that we made to the Park Service many times.

JJC:gs
Encl: 1

Re: The Walker Grizzly Bear Case (Dennis G. Martin as Administrator of the Estate of Harry Eugene Walker, deceased, the plaintiff, vs. United States Government, the defendant.)

Testimony of Dr. Starker Leopold, former head of NPS Natural Sciences Advisory Committee and now Ex-Officio member, still active in grizzly bear management, on Feb. 18, 1975, U. S. District Court, Los Angeles, presided over by Judge Andrew Hauk.

Code: J. = Judge Zet. = Stephen I. Zetterberg, Attorney for Walker family
Leo. = Dr. Starker Leopold Sp. = Wm. Spivak, U. S. Attorney

Zet: I object to Dr. Leopold's testimony at this time on the grounds the Judge ordered Mr. Spivak to have his testimony in by Feb. 4 and this was not followed. I did not receive it until Feb. 13 and have not had time to prepare for cross-examination. The week-end was a three-day holiday (Washington's Birthday) and I had no time to work on this.

Sp: Your Honor, Dr. Leopold has to attend a meeting of the California Academy of Sciences tomorrow and it's important that he testify today.

J: I have the authority to levy sanctions, of course. He can just miss the meeting of the California Academy of Sciences -- lots of people miss meetings.

Zet: Your Honor, I don't think his testimony is all that relevant.

J: Then let him testify.

Zet: It's an ancillary thing, a peripheral thing that will just extend the trial.

Sp: Your Honor, Dr. Craighead has been here all day to work with Mr. Zetterberg and there's been plenty of time for him to consult with him.

J: I think his testimony is relevant.

Zet: What he will say is based on what he's heard from the government. Also he is not an expert on grizzly bears.

J: As Chairman of the Advisory Committee this gives him some familiarity. It's relevant as rebuttal to what Dr. Craighead said. Objections?

Zet: We have to contact Dr. John Craighead

J: Dr. Frank Craighead is here, why contact Dr. John Craighead?

Zet: His testimony (Leopold's) is contrary to what Frank Craighead said and he would like to telephone and verify things with his brother.

J. The plaintiff is entitled to ample time to prepare for testimony. I made an order, Dr. Leopold, that your testimony be in by Feb. 4. Dr. you say you have another meeting coming up the 23rd and 24th? --- If an hour is needed to get in touch with John Craighead, then take it. Then you can also bring John Craighead in to rebut his testimony, too. (Latter said to Mr. Zetterberg).

Zet: Is Mr. Spivak going into more direct testimony?

(Spivak presents Leopold qualifications).

J: Will Mr. Zetterberg stipulate to these qualifications?

Sp: Do you want to let the witness testify to these?
J: No, you tell me.
Sp: (Reads qualifications, names Leopold as Wildlife Biologist etc.)
J: So stipulated?
Zet: So stipulated.
Sp: (questioning Leopold) Dr., you've been called by foreign countries to consult on wildlife management?
Leo: Yes
J: What countries:
Leo: Ireland, Tanzania, Australia, Mexico ...
J: So stipulate.
Zet: So stipulate.
Sp: And he subscribes to and writes for many Journals?
J: So stipulated.
Zet: So stipulated.
Sp: Dr. Leopold is doing work on bears in form of supervising graduate students, directing studies, going into the field.
Zet: It's been stipulated he so testifies.
Sp: Dr. Leopold has worked in Alaska under contract setting up garbage disposal areas etc.
J: Mr. Zetterberg, do you want to call John Craighead?
Zet: Your Honor, will Mr. Spivak file the information on Dr. Leopold in writing? And the letter of Feb. 10 he wrote?
J: I will make an order he will have it all in writing tomorrow morning — or I will strike Leopold's testimony.
Sp: There would be additional — I want to clarify that after he resigned in 1972 from the Advisory Committee, he continued as an Ex-Officio member and kept abreast of what was going on. He also met on the bear program in the park in Sept., 1972 and kept informed through 1972.
Leo: Yes, and through 1973, 1974 and I will be there again in 1975.
J: So stipulate?
Zet: It's not clear.
J: He says he's Ex-Officio — attends as an interested person.
Zet: Stipulated.
Sp: And he keeps abreast of developments.
J: Testimony of Dr. Leopold is Exhibit P in evidence — this is the letter dated Feb. 19, 1975 and attached biological information. Take the stand, Dr. Leopold.
Sp: Dr., will you clarify one item, Page 2 of your letter where you state, "I allated 2 hours for a review of the bear information with the Craigheads at the Sept., 1969 meeting in Yellowstone. After these two hours, did the Craigheads stay?
Leo: Yes.

Sp: And they argued and presented their views?
Leo: Yes.
Sp: You're familiar with the grizzly program after it was implemented?
Leo: Yes.
Sp: And the area of the Walker campsite near Old Faithful?
Leo: In general.
Zet: I object.
J: I will allow a few questions.
Sp: On June 24-25, 1972, do you feel the risk of harm to Park visitors had increased or decreased as a result of the garbage program, commencing after Sept., 1969?
Zet: This goes beyond the testimony on his record.
J: Let it go.
Leo: Clearly the risk of danger from grizzly bears was greatest during the period of garbage dump closures, 1970 and 1971. Having gone through this, I felt the problem was resolved. The bears had gone a whole year without garbage and the problems had decreased.
Sp: Have you observed any antagonism of the Craigheads toward the Park Service?
Leo: Seems to me there were disagreements and ill-feeling toward Anderson and others since Anderson's arrival at Yellowstone. I can't say about the relevance of this toward the grizzly bears.
J: And when did Anderson come to the park?
Leo: In 1967, I believe.
Sp: And because of the nature of the Craigheads' work, did this introduce scientific bias toward their feelings about abrupt removal of garbage vs gradual?
Leo: There's no question the Craigheads had enormous information on garbage-feeding bears. However, the judgement on closing the garbage dumps became a matter of opinion. They felt there would be less danger to campers and bears if the dumps were closed gradually. NPS felt it should be abrupt. Their idea was "Let's break them and terminate the situation." There was increased risk the first year, this was much less later. Also young bears could not learn garbage habits under the abrupt method. We, the Board, did not comment on the method in our report. NPS put forth the rapid view, however, and then we supported it. The transition from garbage to wild foods was very smoothly done.
Sp: Define the specific years.
Leo: 1970 and 1971.
Sp: We're interested in June, 1972. Were there less problems then as a result of the dump closures?
Leo: Yes
Sp: The reason?
Leo: Bears had gotten over seeking garbage.
J: There's no question about the ultimate closure of the dumps. All were agreed

this should be done. The question was "right now" or "gradually". The Craigheads' view was that gradual weening would be less dangerous to bears and campers. Your report does not advance either theory, but once the decision was made by Anderson, your committee supported it?

Leo: Yes.

Sp: Are you speaking just for yourself?

Leo: I speak for the whole committee.

Sp: And regarding the success of the program? Do you speak just for yourself?

Leo: For the whole committee.

Sp: You've read the narrative testimony of Frank Craighead?

Leo: Yes.

Sp: Based on it, if he said the bear Jim Brady trapped in 1970 was the same bear that killed Walker, would this be consistent with prior conversations with Craighead?

J: Craighead did not testify to that! He said assuming the same bear had killed Harry Walker and it had been previously trapped in 1970, it should have been helicoptered in 1970 out a long ways so as not to come back.

Sp: I stand corrected.

J: He said if it was the third time the bear was caught it should have been destroyed.

Sp: The issue is whether the bear trapped in 1970 was the same one.

J: The only evidence was that a campground was disturbed and a camper destroyed. The second time the bear disturbed a housewife as she was cooking dinner in a trailer when the bear stuck its head in her window. It should have been transplanted far out and then destroyed the third time it came back — and it was.

Zet: Your Honor, Mr. Spivak is going too far with this testimony.

J: He's about finished. If he isn't finished, I'll finish him.

Court recessed to enable court reporter's machine to be fixed.

J: Continue further direct for Leopold.

Zet: Your Honor, Mr. Spivak started this line of questioning.

J: He gets two more questions and that's all.

Sp: Who's Adolph Murie?

Leo: He spent his life with the Park Service — worked in Mount McKinley with bears and wolves.

Sp: In your opinion is Glen Cole a competent, qualified biologist with good scientific qualifications?

Leo: Yes he is.

Sp: Thank you, doctor.

Zetterberg Cross-Examination of Leopold

Zet: Is your degree in biology?
Leo: Yes.
Zet: Primarily in birds?
Leo: My University of California degree is not that narrow. I did my thesis on wild turkeys.
Zet: Of 102 different items you've shown the court that you've written, there are only two things on bears -- one on the "Grizzlies of Sierra del Nido"?
Leo: Yes.
Zet: Actually a rancher discovered these grizzlies, isn't that right?
Leo: Well, the rangers knew they were there.
Zet: And the other thing was on "Weening Grizzly Bears, 1970", right?
Leo: Yes.
Zet: Wasn't this published shortly after the Advisory Committee meeting in 1969?
Leo: Yes, it covers the issues discussed there.
Zet: And it was written from the meeting?
Leo: Discussed all the viewpoints.
Zet: Regarding your evaluation of the Yellowstone program -- where did you get the information for your evaluation? From Yellowstone Park?
Leo: Yes.
Zet: From Cole?
Leo: Yes.
Zet: Are you familiar with Dr. Cowan?
Leo: Yes.
Zet: Does he have a good reputation?
Leo: Yes.
J.: Ian McTaggart Cowan? He's a respected scientist?
Leo: Yes.
Zet: Do you want to disregard his views?
Leo: No.
Zet: The National Academy of Sciences report -- are you familiar with it?
Leo: Yes.
Zet: Page 8 says, "The situation is further complicated by instances of the selection of data to be reported. An example is "Table 2," Total number of grizzly bears observed on a daily basis in developments and in the wild within Yellowstone National Park, 1968-72" from Cole (1973). The observations summarized there derive from many different types of observers, some skilled, others inexperienced, and the observations do not represent any constant or reported number of observers or hours in the field or miles traveled. Furthermore, Cole informed us (personal communication) that he rejected data from those observers he thought might be unable to distinguish between grizzly

and black bears. In any case, such a table has little if any meaning, since there is no basis for the comparisons of results from year to year, or any verifiable relationship between these figures and the actual populations."

Leo: I disagree with Cowan on this and several other points.

Zet: In particular the points that I mentioned?

Leo: Yes.

Zet: But Cole's data may not be accurate data?

Sp. interrupted and objected.

J: Go on.

Zet: On the next page ----

J: The report -- is it a National Park Service report done for the committee employed by NPS?

Leo: No. The National Academy of Sciences appointed the NAS committee after it had been requested by the Secretary of Interior. Cowan chaired it -- it was appointed by the National Academy of Sciences.

J: What is it called?

Leo: The National Academy of Sciences report of July, 1974.

J: That was page 8 last paragraph? Let's go to page 7 about the backcountry population of grizzly bears that do not come to dumps. Yes, it says the situation is further complicated by effectiveness of observers -- the Craighead studies were more experienced. There were instances of selected data -- Table 2 -- Number of grizzly bears observed, Cole, 1968-72 etc. The report criticized Cole. Says his table has little or no meaning. ---- You say you disagree?

Leo: Only on the statement of the number of bears in the backcountry -- I do not feel the sources of data in Cole's Table disproves the existence of a backcountry population.

J: You want to ignore it? The report says the 15 year Craighead data provides a richly unique data bank and their data are the best available.

Leo: Yes.

J: The Craigheads did massive research on the grizzlies and more research is needed. The report says this should build on past data and that management should be placed on a firmer footing, with the data analyzed and published as soon as possible.

Leo: I would emphasize that. The situation regarding the Craigheads publishing their data is bad.

Zet: You had talked with John Craighead concerning his coming to Berkeley and giving a lecture in Feb. 1973?

Leo: Yes, but it didn't come off -- I can't remember why, perhaps our dates conflicted on something.

J: As to the antagonism by Anderson and Cole --

Leo: The feeling was mutual

J: And you say Cole and the Craigheads were mutually disagreeable?

Leo: Yes.
Zet: Give him Exhibit # 13. Is it the so-called Leopold Report?
Leo: Yes.
Zet: You drafted it?
Leo: Yes.
Zet: On one page a connection was made --- page 6. Is this the final version?
Leo: No, paragraph 5, page 6 was changed.
Zet: It is attached as Exhibit 42A.
Leo: If I may comment --
Zet: There is not enough time. I have no questions.
J: 42A is the new sheet after the Craigheads wrote him a letter.
Zet: Is this the final version -- with 42A?
Leo: Yes it is.
Zet: This report contains recommendations for practices in grizzly management?
Leo: Yes. It names 11 steps that might be taken.
Zet: If not recommendations you wouldn't put them in?
Leo: Yes. It listed all that we thought might be used. And a longer list was available.
Zet: Any recommendations that were not followed?
Leo: Yes. But there were very good reasons.
J: Whatever the reasons, you recommended these?
Leo: Yes.
Zet: All were right?
Leo: Yes.
Zet: Regarding transplanting bears, you say "every possible effort should be made to make the initial transplant succeed. If the first release is in wild but hospitable terrain, far from human habitation, the animal may be successfully acclimated, particularly a young animal. In the past, many trapped bears have been released at convenient points near roads or border stations where they quickly gravitate back to camp searching. Helicopter transport, though costly, may be one effective way to assure successful transplantation." Do you disagree with this now?
Leo: No I do not.
Zet: Regarding tracing the movements of bears, you say "many bears around Trout Creek Dump have been captured and marked. Response of these individuals to elimination of garbage will suggest what problems may arise as other garbage sources are removed", and you say "numbers and density of bears at all dumps should be recorded as food sources are pinched off" and that human contacts with grizzlies should be monitored at campgrounds and elsewhere during this transition. Do you approve of radio monitoring?
Leo: I object to monitoring any bear if it can be avoided.
Zet: But that was your recommendation?
Leo: Yes, on page 5.

Zet: Do you consider cutting off marking of grizzlies for the centennial a good biological reason?

Leo: All the bears have permanent marks on them, they have ear tags and numbers. The Craighead markers were retained except for one instance.

Zet: But was it all right to quit marking just for the centennial?

Leo: Clearly I agree with you.

Zet: And do you agree that as a substitute for garbage carrion could be used if necessary?

Leo: Yes.

Zet: This suggestion came from the Craigheads?

Leo: Yes.

Zet: As a necessary part of their program?

Leo: It was recommended as part of the program — not necessary part.

Zet: Was this carried out?

Leo: It was not.

Zet: What about the recommendation for fencing campgrounds, surrounding the campgrounds with fence to keep bears out?

Leo: It was not implemented.

Zet: And was it important to carry out "B", page 3 of your report dealing with public education and patrols and enforcing campground regulations?

Leo: It was a good idea for campers to lock their food in cars and campers should also carry out all garbage and other food when visiting backcountry.

Zet: The Judge should determine that.

J: Tell me, Dr. Leopold, why were there no signs around Old Faithful saying "Dangerous Grizzlies" and signs pointing in detail as to where to camp?

Leo: This information was given out by the ranger stations. There were repeated warnings and admonitions.

J: But why no signs?

Leo: I've been to Yellowstone Park many times and will say that it's hard to visit the park without getting information. It is given out at park entrances.

J: And park entrances are sometimes closed?

Leo: You can't put signs everywhere.

J: As I understand it, people can walk all over the park and signs are needed in particular areas that are dangerous.

Leo: Yes.

J: I understand grizzlies have a homing instinct for the dumps. Here we have an instance of a camper disappearing and a housewife bothered while cooking her dinner. How much would it cost to put up signs? Many are put out in ski areas all over the country, signs saying where to camp and how far.

Leo: Clearly every effort should be made to direct people where to camp. You can't get through the gate without instructions.

J: Well, these boys came into the park with a worker and didn't see any signs or warnings. No one seems to know, but the evidence is they didn't get warnings. If there'd been signs near Old Faithful warning and telling them where to camp wouldn't that help?

Leo: I can't speak to that; however, we have signs saying, "Don't get off the road".

J: Yeah. 'Cause you might get stuck in the mud. Nothing about grizzlies.

Leo: I can't answer that.

Zet: In your Feb. 10 letter, you allocated 2 hours for the Craighead review at the 1969 meeting you say. Wasn't it actually 1½ hours?

Leo: I thought it was 2 hours.

Zet: I have here the agenda from Dr. Craighead. It says from 10:30 to 12:00, 1½ hours

J: Want to mark it? It's the Mammoth meeting, 1969.

Leo: Yes, our agenda.

J: In evidence.

Zet: At the rest of the meeting you say the Craigheads didn't have available charts, graphs, maps etc. and were not present at discussions:

Leo: That is correct. They had interesting and attractive presentations on the board which they insisted could not be seen. I called a coffee break at 10:30 and when we got back all the charts and things had been taken down.

J: Were they used during the rest of the 2 days?

Leo: No.

J: Weren't the Craigheads consultants — were they present at all sessions?

Leo: They refused to let their information be seen.

Zet: Were they present at the later meeting of the expanded group?

Leo: Yes indeed.

Zet: And it's your recollection that they did not have the charts etc. at the expanded meeting?

Leo: Yes.

Zet: Regarding your statement that the situation in the park was safer in 1973, you say the bears were over seeking garbage and were living on natural food — and that they were over the garbage habit?

Leo: If they weren't, they'd be pretty skinny.

J: They were over seeking garbage?

Leo: They were living on something else.

J: Can a bear get over a habit that easily?

Leo: Yes.

J: That's your view. How could a bear be over habits in a year?

Leo: They get over it in a year, they have to if they stay alive.

Zet: Do you have personal knowledge of the Walker death?

Leo: No.

Zet: How often do you go to Old Faithful?

Leo: Every year, in September.

Zet: Do you stay at Old Faithful?
Leo: No. At Mammoth.
Zet: Do you go into the backcountry?
Leo: No. I can't go because I can't walk any more.
Zet: Have you done any field work on bears?
Leo: In Mexico.
Zet: You went out to see those ranchers?
Leo: Yes. But there were six ranches scattered out over a large area. Grizzlies are very scarce in Mexico.
Zet: No further questions.

Redirect

J: Now this witness (Leopold) wants to get away, Mr. Spivak. If you keep him here it will be your fault.
Sp: I want to discuss Cole's data. In your opinion is Cole's data scientifically acceptable?
Leo: Yes. There are all different degress of data. If you want to trace movements of grizzlies you can get that kind of data. But by other general information you can lean a great deal just by seeing the bears. It is less accurate but useful data.
Sp: Was it practical to use radio-tracking after the dumps were closed?
Zet: I object. The witness is not an expert.
J: Let him say.
Leo: If the bears were carrying transmitters you could get useful information, but the bears were harder to track after the dumps were closed.
J: The bear that killed the boy — if it had been seen in September, 1970 and if it had been radioed, wouldn't it be known?
Leo: I can't find any evidence that the bear was the same on as in 1970.
J: There's speculation the same bear has been absolutely identified.
Leo: The abandoned camp escapes me.
J: If the bear had been radioed, it would have been known if it was the same bear. It was only transplanted 18 miles.
Leo: The bear disappeared in 1970 and was not in the campgrounds since 1970.
J: You recommended transplanting bears far away?
Leo: Yes, particularly in summer. However this bear was moved in October and then did not show up for two years and not in an organized campground.
J: In a dump area?
Leo: Close.
Sp: There was a dump in the area? What dump?
Leo: There was a dump many years ago in that area.
J: Anderson said the dump was there when he got there.
Leo: Yes. It was closed in 1970.

Sp: You mentioned that the Craigheads did quite a bit of research. The key question in looking at the conduct of the National Park Service is, "Could NPS have reached a judgement based on the Craighead data?"

Leo: If it had been made available freely.

J: What?

Sp: Withdraw the question. Was the Craighead data always made available?

Leo: There was considerable delay in the National Park Service obtaining the data. It would have been useful if available. I criticized this point in my report, it was objected to by John Craighead. I withdrew the criticism and put it in softer language.

J: Was it ever made available?

Leo: Eventually -- to NPS.

Frank Craighead jumped in here and said: It was ALL made available at the 1969 meeting and was available the whole time.

J: You can testify on that later. (To Leopold the Judge said next:) Was it all available to you?

Leo: Yes.

J: And you passed it on to NPS?

Leo: No. The movement data was very intricate.

J: But you informed NPS of the data? As supplied?

Leo: I tried to use it.

J: Wasn't the objective of the 1969 meeting to get the data together?

Leo: Yes.

J: Wasn't it published by 1972?

Leo: Not all. They are still publishing parts of their data.

J: But the data was given to you by 1970 and you passed it to NPS before 1972?

Leo: As far as I can remember the details.

Sp: Would it be reasonable for NPS to make recommendations on the data available?

J: The witness saw it. You passed it on, Dr. Leopold?

Leo: Not in detail, but in my report.

J: Could you copy the Craighead information?

Leo: Ha Ha, Heh Heh.

J: That's not funny -- you could have photographed it. You got it?

Zet: How'd he know?

J: It was published, and you know the Park Service could see it.

Leo: Yes.

Sp: Do you feel the language in your original report, criticizing the Craigheads, is accurate?

J: No. It's not correct. He connected it. Let me see 42A and B, page 6. Craighead wrote a letter and you changed your statement. A 1967 Craighead report was also made available.

Leo: There wasn't much data in that.
J: Who wrote it?
Leo: The Craigheads.
J: And they gave it to the Park Service?
Leo: Yes.
J: On your statement "Early publication(of the Craighead data) is urged"— which statement is true, the new or the old page 6?
Leo: They both say the same thing.
J: Except in one you don't credit the Craigheads with giving you the data and in the other you do.
Leo: Yes.
Sp: The National Academy of Sciences report — what was the reason for it?
Zet: I object. The report says what it's for.
J: Did you work on it, Dr. Leopold?
Leo: No.
Sp: Did you anticipate a request for the study?
Leo: Well, there was sharp disagreement — and MY suggestion to the Secretary of the Interior was to get someone outside to appraise the situation. My suggestion was accepted.
Sp: The issue was the status of the grizzly?
Leo: The status of the grizzly and was the population endangered? That was the real issue.
Sp: It's concerned with the bear population as opposed to human safety?
Leo: Primarily bears, except for those destroyed because they were in campgrounds.
Sp: Were the Craigheads interested in the bears?
Zet: Not relevant — he's asking about the Craigheads, not bears. Leopold can't say.
Sp: Read it back.
J: It's answered — don't separate grizzly bears from human safety — is that what yo want him to say?
Leo: I feel it's an inseparable problem.
J: Like snows and avalanches — need signs saying "Don't ski here". They need bear signs — I'll bet they'll start having them now.
Sp: Why was there no elk feeding?
Leo: People are very sensitive about elk. There was a meeting with Senator Clifford Hansen and he told us plainly he was going to bring the wrath of Congress down on our heads if we shot any more elk.
J: I understood it was carrion.
Leo: Uh huh.
Sp: The carrion would be elk.
Leo: Yes.
Sp: About campground fencing —
Leo: There's a serious question whether any fencing should be built in a national

park. This is a serious question. I would have been against keeping any fencing except for a year or two of the transition period, 1970-1971.

Sp: How about June, 1972?

Leo: Oh by then the problem was licked.

Sp: If you had it to do over again would you make different recommendations?

Leo: No. Those not used would have been a pretty good program.

Sp: Did you and your committee quarrel with the way your report was implemented?

Leo: No, none.

J: Do you feel something else could have prevented the 1972 incident?

Leo: Well, there will always be some problem bears.

J: I suggest signs.

Leo: Signs are objectionable.

J: For four or five years? Make nice signs in keeping with the park atmosphere.

Leo: Well - - - (gestures with one hand).

J: Signs don't hurt the outdoor atmosphere --- signs on a boardwalk.

Leo: You could use signs only in a local area. Yellowstone's a big place.

J: Yes, near Old Faithful. Aren't most of the people there?

Leo: I can't answer that.

J: You've been there a lot?

Leo: A great number of times.

J: And you've been to Yellowstone Lake and Pelican Creek?

Leo: Yes.

Zet: Who appointed the NPS Advisory Committee that you chaired?

Leo: George Hartzog.

Zet: Did you get reports along on how the bear program was working?

Leo: Yes, the Park Service reported on a regular basis. I was particularly concerned in 1970 and 1971 --- and Anderson and Cole reported to me.

Zet: Did you ever reconvene the expanded group, including the consultants?

Leo: No.

Zet: Your information all came from the Park Service --- or just in part?

Leo: Yes.

Zet: Not from consultants?

Leo: From John and Frank Craighead's published reports.

Zet: You resigned in April, 1972?

Leo: Yes. Dr. Stanley Cain is now Chairman of the Advisory Committee. I'm on another NPS Advisory Board for national parks. I couldn't do both and had to resign from one.

Redirect

Sp: You received reports on the bear program on a regular basis? Did Cole submit reports on a regular basis?

Leo: Periodically the data was sent.

J: Annually?

(R) Leo: More often. I also went to the Park myself and got information too.
J: And you passed the Craighead information on to the National Park Service?
Leo: Yes.

Intra-campus MEMORANDUM

UNIVERSITY OF MONTANA

March 6, 1975

TO: Grizzly Bear Committee

FROM: John J. Craighead

RE: Violations of Federal Codes and Regulations

Enclosed is information regarding possible violations of Federal Codes and Regulations by the Park Service as provided by William A. Pedersen. Thought you might be interested in seeing this. Letter from Mr. Pedersen attached as well as his list of violations. Also enclosed is a copy Feb. 1975 Fish & Wildlife News.

JJC:gs

Encl: 2

According to my information, the Park Service has violated in some manner or another, the following Federal Codes and Regulations, governing truth in official acts, actions and statements. Since it is not our prerogative to file a suit, as these matters follow under the jurisdiction of the U.S. District Attorney, District of Wyoming, I intend to ask the District Attorney, District of Wyoming, to further pursue the matter of falsification of public and official reports with the intention to deceive public, private and governmental officials and members of Congress. It is their decision and a suit will be filed at his discretion, provided he sees reason to prosecute. It is my belief that all of these sections and other sections of Federal Codes and Regulations have been violated for the purpose of deceiving the public and Congressional officers.

William A. Pedersen

William A. Pedersen
Box 603
Missoula, Montana 59801

* Violations of U.S. Code of Federal Regulations, Title 18, Section 2073, Para. 1 and key 68, C.J.S. Fraud Section 154 based on Title 18, Section 189, C.F.R.

and:

5 C.F.R. 104.1 Section 731
Section 735.210, Title 18, U.S.C. 1001
(k) prohibiting false statements and fraud

5 C.F.R. 104.1 Section 1001.735-201 (c)
impeding government efficiency and economy

(d) losing control of independence or impartiality

(f) affecting adversely the confidence of the public in the integrity of the government

40 C.F.R. 104.1 Section 1500.6 - identifying major actions significantly affecting the environment

* 40 C.F.R. Section 1.3 Purpose of E.P.A. - to assess and judge the environmental impact of such major acts and to prohibit, prevent or prosecute as the situation warrants.

(may not be applicable)