

# Conservation Commission Silent Coup?



Governor Parson recently appointed two new Conservation Commissioners. One was a shocker: the founding President of the "Missouri Big Game Farmers and Breeders Association".

The Commission runs the MDC. Four Commissioners serve a six-year term each. Appointments take immediate effect but are subject to later "advice and consent" of the Senate. If the Senate does not approve the appointment it is nullified. This consent can take place only while the Senate is in session, normally from Jan-May.

Some years there are special sessions. This year there is one from Sep 9-13.

Citizens have only one practical opportunity to influence a Commission appointment. Once the Senate consents to an appointment, that Commissioner answers to no one.

A little background is necessary to get an important perspective of the appointment. Here is the history of Chronic Wasting Disease (CWD) and the confined big game industry in Missouri:

- 2002** - MDC begins large scale annual statewide "surveillance" testing for Chronic Wasting Disease (CWD) in wild Missouri deer.
- 2010** - CWD is found in a high-fence Linn County cervid breeding pen. There had been over 26,000 tests of wild Missouri deer since testing started, covering every county in the state, with no positives.
- 2011** - CWD is found in a Macon County shooting preserve a few miles away from the Linn County pen owned by the same operator.
- 2012** - MDC tested 1,077 hunter-harvested wild deer across North Central MO. Two of them test positive for CWD in Missouri — the first time CWD was found in wild Missouri deer. Both were mature bucks taken less than 2 miles from the Macon County pen where CWD was found in 2011.

The above facts show the confined big-game industry likely trucked CWD into Missouri.

The facts below illustrate the position of industry on the resulting regulations:

- 2014** - The Commission passed new CWD related regulations impacting captive cervids.
- 2015** - Industry sued to block the regulations and were granted a temporary injunction.
- 2016** - The court ruled against the MDC, making the injunction permanent. MDC Appealed.
- 2017** - The appellate court declined to rule, advancing the case to the Missouri Supreme court.
- 2018** - The Supreme Court overturned the circuit court, ruling in favor of the Commission. It also said the Commission has authority over all big game species in Missouri, free-ranging and confined.
- 2019** - Governor Parson appoints two new Commissioners to fill vacancies.

What follows was influenced by the above facts.

One of those appointments went to Dr. Steven Harrison (an Orthodontist). He was founding President of the "Missouri Big Game Farmers and Breeders Association", now known as the "Missouri Deer Association" (MDA). It represents the confined big game industry in Missouri.

Dr. Harrison served as MDA President for three years. Until recently, he also held a permit to operate a high-fence "Big Game Hunting Preserve" near Rolla.

The public announcement of Dr. Harrison's appointment did not mention his relationship with the MDA.

When conservation organizations learned the facts, some reached out to him. They wanted to know his attitude towards the MDA and how it is regulated. He downplays the relevance of his history, saying in an email to MHFFC that his role in the MDA was just "... one element of information from many years ago."

But he appears to keep ties:

Charles "Sam" James co-founded the MDA with Dr. Harrison.

In 2016 a federal grand jury indicted James for felony violation of the Lacey Act, for smuggling deer into Florida. James had previously pleaded guilty to a similar crime for smuggling deer into Arkansas years ago. And in June, 2016 the Linn County Missouri prosecutor charged James with felony conspiracy to forge and falsify a Dept. of Agriculture "breeder movement certificate" — a document allegedly used to conceal the illegal transport of an untested "shooter buck" from a deer breeder to James' shooting pen.

In July 2016, Dr. Harrison sent [a character reference for James\\*](#) to the federal court. In part it said:

*"Sam and I became acquainted and made the mutual decision that the only way we were going to be effective in any interaction with the Missouri Department of Conservation was to become organized. We organized the Missouri Deer Farmers Association, of which I was the founding President and Sam subsequently followed me for several years as President of that organization."*

So just three years ago Dr. Harrison wrote a letter with a proud public declaration of his role in organizing the MDA. In support of the then vice-president of the MDA. This suggests a sustained relationship. Publicly supporting someone accused of this crime implies flexibility about such matters. Especially about someone with a history of deer smuggling. This is alarming for someone seeking authority over the MDC.

Missouri voters spoke clearly about the mission of the Conservation Commission. We placed this language in the Missouri Constitution at [Article IV section 40\(a\)\\*](#):

*"The ... conservation and regulation of the ... forestry and all wildlife resources of the state, including ... the administration of all laws pertaining thereto, shall be vested in a conservation commission consisting of four members appointed by the governor... The members shall have knowledge of and interest in wildlife conservation."*

Voters did not anticipate an appointment that blurs the lines between conservation and commerce. It has been suggested that the MDA is entitled to a voice on the Commission. But those who confine big game species are no more entitled to a voice than any other citizen. They should not have a role in regulating themselves.

The idea is in direct conflict with the Commission's Constitutional mandate. Commissioners must represent the public interest in healthy wildlife. That obligation is not mitigated by the interests of an industry whose activities threaten the public interest. Transport of live cervids cannot take place without the risk of spreading CWD, a threat to wild deer.

One of the few true things in the industry talking points is that they are not the only source of new outbreaks. But that does not excuse their significant known threat. Public interest demands that CWD be fought by every means available. The Commission must address all threats to wildlife resources on behalf of all Missourians.

The pool of shooting preserve operators and past presidents of their association is very small. If the Senate confirms Dr. Harrison, that tiny pool gets one Conservation Commissioner. While the other 6 million or so Missourians get three.

Governor Parson sends a loud and clear message by making this appointment so soon after the Supreme Court action. He may get the opportunity to make more appointments. How do we know he won't use them to complete this silent coup? Will he hand the keys to conservation in Missouri over to the MDA? These are fair questions.

Commission appointments must not conflict with the clear intention of the Constitution. No games, no tricks, just conservation. Dr. Harrison's appointment does not fit that bill.

He should withdraw, or Governor Parson should withdraw his appointment. Failing that, the Senate should not consent to this appointment.

Aldo Leopold said this about appointments to a Conservation Commission:

*"It is incredible how much harm can arise over a period of years from even ten percent bad selections. Appointments can average no better than the governors who make them, or the legislators who confirm them, or the voters who elect both."*

The deer breeders have the Missouri Department of Agriculture, and industry associations, to look out for their interests.

The conservation community has the MDC, and our array of conservation associations, to look out for our interests.

And we all get to vote for a Governor and our Legislators. That is the correct balance.

Shoehorning commercial interests onto the Conservation Commission upsets that balance. It is a violation of the public trust, and disrespectful of the Constitution.

We must respond loud and clear to the Governor and the Missouri Senate.



One organization, BackCountry Hunters and Anglers, has set up a web page [BackCountryHunters.org/take\\_action#/116](https://BackCountryHunters.org/take_action#/116) \* to make that easy for you.

There are only 4 seats. Step up.