

Harassment case a good Lesson

By Kurt Krueger
In The Outdoors

WATERFRONT property owners might learn a lesson from the experiences of a riparian who has been cited by a Department of Natural Resources conservation warden for harassing a fisherman.

It was about 6:30 p.m. on Wednesday, May 2, when an angler casting near a beach and pier on the west shore of Anvil Lake was confronted by a property owner.

The owner apparently asked the angler not to fish around his pier or in the area his grandchildren use for swimming, as to avoid problems with lost hooks that could injure someone.

The angler's reply, according to warden Tim Price, was that it was a publicly owned lake and that he was a taxpayer who had a right to fish anywhere on the lake.

What transpired next, according to Price, is exactly why the state of Wisconsin created a law that prohibits the harassment of persons involved in legal hunting, fishing and trapping.

"The property owner threw two or three hardball-sized rocks toward the boat, in the area where he was casting, to deter his ability to fish," said Price. "When he cast his bait in another direction to the side, the man threw smaller rocks to that location. Frustrated but not looking for a confrontation, the angler left."

Price said the fisherman handled the situation just the way he should have, avoiding more confrontation and instead calling a warden.

"I have to give the angler a lot of credit for not getting into a more heated argument, and just leaving," said Price. "There is no better example of someone interfering with the legal right to fish than this case."

Price said the citation is just an allegation and the man hasn't appeared in court. However, he said the man was regretful for losing his temper and indicated the man planned to just pay the minimum fine of \$329.

"He didn't deny any of it when I spoke with him," said Price. "He was basically embarrassed and apologetic. The man is a casual angler himself, and he has nothing against anglers in general."

Price said it's the first time in his five years as a warden that he wrote a citation enforcing what is called the hunter harassment law, which was first enacted in 1990. It is a little-used law that prohibits people from harassing those who hunt, fish and trap.

"I had some complaints in southeastern Wisconsin where hunters questioned what their neighbors were doing to interfere with their deer hunting, like playing loud music," said Price. "But the people were doing those activities on their own land. There are more user conflicts down south because the woodlots are smaller and people are closer together."

Price said he cited the Anvil Lake property owner for the minimum civil forfeiture of \$329.

According to the wardens' Bond Book, the fees and fines for which have been set by a panel of judges, the maximum forfeiture would have been \$1,133.

"I'm just hoping a lesson was learned and that other property owners will hear about the case so that they are reminded of the law," said Price. "The man admitted that he has yelled at fishermen in the past about fishing the spot in front of his pier and beach."

Contacted by telephone, the property owner said he simply lost his temper. "It wasn't one of my better moments," he said. We aren't naming the property owner because we don't routinely publish the results of civil forfeitures, including much more serious offenses such as first-offense drunken driving.

Besides, the scribbler chose to use this unusual case as an example of what anglers should do in such circumstances, and what riparians should avoid doing if they don't want a ticket.

If my aging memory serves me right, the law was sparked by some anti-hunters who were following deer hunters into the woods from parking lots on public hunting grounds. They would sit or stand near the hunters, talking to them, which clearly deprived the hunters of a chance to bag a deer.

This case is no different. The angler was deprived the right to try to catch some crappies in front of this guy's beach. He left intimidated and frustrated, wondering if someone that angry might go to the landing and damage his vehicle and/or trailer.

It's great that Wisconsin and its legislators care enough about the state's fishing, hunting and trapping heritage to create a punishment mechanism for those who might interfere.

Anglers should know that the mechanism exists, so they don't try to take matters into their own hands.

Fortunately, the Anvil Lake situation didn't result in injuries from a confrontation.

"The bottom line, then, is that property owners can't protect their piers from hooks without interfering with the right of anglers to fish," said Price.

<http://www.vilascountynewsreview.com/full.php?id=12479>