

## FWC arrests 12 for illegal purchase, possession of foxes and coyotes

At the conclusion of a 10-month undercover investigation Tuesday night, the Florida Fish and Wildlife Conservation Commission (FWC) arrested 12 people for the illegal purchase and possession of live foxes and coyotes, and the unpermitted use of these animals in fenced enclosures for the purpose of allowing dogs to pursue them. In addition to undercover work, the investigation involved aerial surveillance as the suspects moved from county to county, transporting the animals to enclosures.

Permits are required to possess these animals, and it is unlawful to purchase foxes or coyotes from an unlicensed person. In addition, the enclosures must be permitted and meet state requirements. Large fenced enclosures, often several hundred acres, have been established and permitted on private lands to provide areas where dogs can chase foxes and coyotes without crossing landowner boundaries and creating trespass situations. The owners of these enclosures typically charge patrons a fee to allow their dogs to track the animals inside the fenced enclosures.

During the investigation, FWC officers posed as suppliers of foxes and coyotes that were illegally possessed and sold the animals to the suspects. The undercover officers told the suspects that they did not have the proper permits to sell the animals.

“Over the past year, we have received numerous complaints regarding the enclosures,” said FWC Chairman Rodney Barreto. “Last September, the other commissioners and I directed the FWC to conduct a comprehensive review of this practice and examine the agency’s permitting process and report back to us. This investigation is something we will weigh when we make decisions about the future operation of these enclosures.”

On Sept. 22, the FWC enacted a moratorium on permitting this activity any further. The moratorium was the result of complaints on permitted facilities and subsequent inspections conducted by FWC officers. The moratorium applies to all applications for releasing foxes or coyotes in new fenced enclosures, all pending applications for new permits and all applications for reissuance of permits for enclosures where permits have lapsed.

There are currently six permitted enclosures in the state.

With a valid permit, a person may import foxes into the state and release them into private fenced enclosures only if the animals are vaccinated and have been quarantined. The trapping of foxes for this purpose in Florida is prohibited. Only those foxes from states that have been rabies-free for a year are allowed into the state. It’s illegal to kill gray or red foxes, and it is illegal to possess gray or red foxes without a permit.

The importation of coyotes into Florida is prohibited. However, a valid permit allows for coyotes to be trapped in Florida and relocated to private enclosures.

Translocation of wild-caught foxes and coyotes can spread disease and parasites. It is believed that in 1994 a strain of rabies was introduced into Florida as a result of coyotes being transported from Texas to Florida. Rabies, distemper and a tapeworm (*Echinococcus multilocularis*) can infect foxes and coyotes and spread to other mammals.

In addition to citizens’ complaints, officials with the Alabama Department of Conservation and Natural Resources also notified the FWC that foxes and coyotes were being illegally transported into Florida for fenced enclosures. Alabama officers had learned of the

illegal activities in Florida after conducting their own investigation of similar activities. The FWC began its undercover operation last January and investigated 12 facilities throughout the state.

Twelve suspects were arrested (see below) and 46 citations issued. Most of the citations are for second-degree misdemeanors. A second-degree misdemeanor carries a penalty of up to \$500 and up to 60 days in jail. One suspect, Edgar R. Bryan (DOB 10/23/35) is a convicted felon who served 25 years in prison for first-degree murder and is on parole.

Of the 12 enclosures investigated, eight were involved in illegal activity. Suspects at two permitted facilities made illegal purchases. Six other facilities were identified as having no permits.

“I would like to commend our FWC officers for a job well done,” Barreto said. “The difficult and often dangerous work these officers completed shows clearly that some individuals operate outside the boundaries of the law, and they are now facing charges.”

Prior to the moratorium, to get a permit for an enclosure, an applicant was required to have a minimum of 100 acres within the enclosure, and the enclosure had to meet fence-height requirements and include areas for the foxes and coyotes to escape from the dogs. Those who currently possess an enclosure permit are also required to have their animals vaccinated, and the animals must be kept in a safe, sanitary and humane manner. Additionally, the facility owners are required to show the source, date of acquisition and date of release of foxes and coyotes into a high-fenced facility. The facilities are subject to unannounced inspections by the FWC.

Following is the list of those arrested in this covert operation. The county is the location of the violation. The charging statute is F.S. 379.4015(2)(a)(2). For classifications of captive wildlife, go to [MyFWC.com/Rules](http://MyFWC.com/Rules), and click on “Captive Wildlife.”

#### Columbia County

James Edward Spradley, DOB 06/25/43.

#### Charges:

Purchase of fox/coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-0011(1)

#### Gilchrist County

James Nessmith, DOB 09/19/57

#### Charges:

Purchase of fox/coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Unlawful possession of fox, F.S. 68A-24-002(2c)

Possession of Class III animal (fox) without a permit, F.S. 68A-6.0011(1)

Purchase of fox unlawfully taken from Florida, F.S. 68A-9.002

#### Clay County

Ronald Cercy, DOB 11/04/83

#### Charges:

Purchase of fox/coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Unlawful possession of fox, F.S. 68A-24-002(2c)

Possession of Class III animal (fox) without a permit, F.S. 68A-6.0011(1)

Purchase of fox unlawfully taken from Florida, F.S. 68A-9.002

Putnam County

Tommy Lewis, DOB 04/28/38

Charges:

Purchase of fox/coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Unlawful possession of fox, F.S. 68A-24-002(2c)

Possession of Class III animal (fox) without a permit, F.S. 68A-6.0011(1)

Purchase of fox unlawfully taken from Florida, F.S. 68A-9.002

Volusia County

Charles Jones, DOB 09/30/38

Charges:

Purchase of fox from an unpermitted person, F.S. 68A-6.0023(7)

Failure to vaccinate prior to release, F.S. 68A-9.002(1)

Purchase of fox unlawfully taken from Florida, F.S. 68A-9.002

Calhoun County

Edgar R. Bryan, DOB 10/23/35

Charges:

3 Counts - Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

3 Counts - Failure to vaccinate prior to release, F.S. 68A-9.002(1)

Okaloosa County

William McCurdy, DOB 10/20/44

Charges:

3 Counts - Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

2 Counts - Purchase of fox from an unpermitted person, F.S. 68A-6.0023(7)

2 Counts - Possession of fox without permit, 68A-24.002(2)(c)

3 Counts - Possession of Class II animal (coyote) without a permit,  
F.S. 68A-6.0011(1)

Okaloosa County

Larry Moore, DOB 01/20/48

Charges:

Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Okaloosa County

James F. Melton, DOB 10/31/39

Charges:

Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Okaloosa and Bay counties

Frankie C. Beverly, DOB 07/17/49

Charges:

Purchase of coyote from an unpermitted person (Okaloosa), F.S. 68A-6.0023(7)

Failure to control animal diseases (Bay), F.S. 585.145(2)

Bay County

Billy Melvin Jr., DOB 11/15/59

Charges:

Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)

Bay County

James Lovett, DOB 11/14/59

Charges:

Purchase of coyote from an unpermitted person, F.S. 68A-6.0023(7)

Possession of Class II animal (coyote) without a permit, F.S. 68A-6.0011(1)