



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT
INCIDENT SUMMARY REPORT



JUVENILE

ORIGINAL

SUPPLEMENT

REPORT #: FWNW09OFF10696

NARRATIVE

On Friday, November 20, 2009, at approximately 7:30 am, I received information from FWC Dispatch advising that a homeowner in Ft. Walton Beach had killed a bear. David Jonathan Jay, the homeowner at 910 Woodbriar Court, made the call himself. He told dispatch that the bear had lunged at him and he shot it. I immediately called Mr. Jay and he told me the same thing, but added that the incident occurred last night at approximately 9:00 pm (10-hours earlier). He also said that he needed to leave for Jacksonville for a prior commitment. I asked him to wait for an Officer who would be there within 15-20 minutes to take his statement, and he agreed.

Investigator Shelby Williams arrived at approximately 8:05 am, and did a preliminary interview, obtained a written statement from Mr. Jay and took photographs. Mr. Jay was permitted to leave for his trip to Jacksonville at around 8:50 am.

I arrived at approximately 9:10 am. Investigator Williams briefed me on his interview with Mr. Jay and I read his written statement. The scene appeared to correspond with the information provided by Mr. Jay (homeowner).

Below is a synopsis of the event compiled from the information given by David Jonathan Jay:

[At around 9:00 pm, November 19, 2009, Mr. Jay's wife (Lynette) entered the garage from the house. She heard noise coming from outside the closed garage door. She told Mr. Jay who armed himself with a 12-gauge shotgun. He stated that he got the gun because of a recent burglary to one of his vehicles. He turned on the outside lights and went out the front door. There were two cars parked in front of the closed garage door. Mr. Jay went around the rear of the cars toward the corner of the house. There is a line of shrubs that delineate the property boundary between Mr. Jay and his neighbor. The shrubs are not in the lighted area and are in the shadows. Halfway around the second car and 15-feet from the shrubs a bear lunged out and huffed. Mr. Jay stated that he thought the bear was attacking him and he shot it. He went back inside the house and wasn't sure who to call. He called his neighbor (John Jannazo – Okaloosa County Commissioner). They talked about the incident and Mr. Jannazo said he would find out and call back. Mr. Jannazo did call back (after checking with the Sheriff's Department) and advised Mr. Jay that FWC would be the appropriate agency to call. They both agreed that FWC would probably not come until morning, so Mr. Jay waited until daylight to make the call. He did not realize that there were two half-grown cubs with the adult bear until the next morning.]



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At about 10:00 am, John Jannazo (neighbor – 912 Woodbriar Court) arrived back at his residence. I interviewed him about the incident and he provided the following: [Jonathan Jay did call him that night at around 9:00 pm. He was not home at the time of the call. Mr. Jay told him he had shot a bear and didn't know who to report it to. Mr. Jannazo said he would find out and call him back, which he did.] I asked Mr. Jannazo if he had seen a bear earlier or if there had been any bear sightings in the neighborhood. He answered no to seeing or hearing about a bear and further stated that it had been about four years since he had seen a bear in the area.

While waiting for FWC biologists to arrive and remove the deceased bear I canvassed the neighborhood and talked with four different homeowners. I asked them if they had heard any gun shots during the night and if they had seen any bears in the area. They all stated no to both questions.

On Sunday, November 22, 2009, at approximately 3:00 pm, I met David Jonathan Jay at his residence (910 Woodbriar Court) in Ft. Walton Beach and conducted a follow-up interview on the aforementioned incident. Mr. Jay's recollection of the incident did not change from his written statement and what he told Investigator Williams on November 20th.

On November 24, I checked with the Okaloosa County Sheriff's Department to verify Mr. Jay's assertion of a burglary. They did have a report (#4418) on file for 910 Woodbriar Court, on 4/19/2009. The report indicated a vehicle burglary at that residence.

In the realm of bear behavior there are two types of "charges". A "bluff charge" wherein the bear is not really attacking, but trying to scare the offending party. The other type of charge would be the "real charge" and the bear would be intent on harming the offender. Unfortunately there are only two ways to determine the type of "charge". One is to have extensive knowledge of bear behavior and the other is to allow the "charge" to culminate.

In conclusion the evidence (dead bear, proximity to house, shooter's statement) coupled with the fact that it was a female bear with cubs supports the premise that it may have been a "charge". Because Mr. Jonathan Jay lacked sufficient understanding of bear behavior he could not make a determination on the bear's intent.

A background check of Mr. Jay indicates he has been an upstanding citizen. He has no criminal record, in fact he has only three traffic violations of which all were non-criminal infractions. The most recent one was for unlawful speed on 5/31/2009. He is a retired USAF Lieutenant-Colonel and continues to work at Eglin Air Force Base as a contract employee with a top-secret clearance. During my interview with him he showed no sign of deception and his answers were direct and forthright.

End Report.



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ADMINISTRATIVE DATA			
Number of Investigative Miles		Number of Investigative Vessel Hours	Total Number of Investigative Hours
Photograph(s) By (Print)		Date	
I swear the above statement is correct and true to the best of my knowledge and belief.		Sworn to and subscribed before me, the undersigned authority this _____ day of _____, 20_____	
Officer's Signature		ID#	Date
		Deputy of the Court, Notary, or Law Enforcement Officer Signature	
Officer's Name		ID#	Date
		Print Name	
Agency Phone / Cell Phone: () - / () -			
Reviewed By (Print)		Date	Reviewer's Signature
			ID#