



Via email -- October 25, 2023

Dear Members of the Washington Fish & Wildlife Commission,

I write today to address two recent events that cause me to be gravely concerned about the Washington Department of Fish and Wildlife's attitude toward independent science.

First, I am shocked by the WDFW's attempt last week to prevent you from being exposed to national experts discussing cutting-edge science on the subject of coexisting with large carnivores. As you may know, [last week's webinar](#) was originally supposed to be a panel discussion before the commission's wildlife committee, but I understand that the WDFW's leadership and legal counsel told Committee Chair Lorna Smith that holding that panel would create too much legal risk. Because I am committed to the free and open discussion of science, and the expert panelists had already committed to participating, I pivoted quickly and turned the discussion into a webinar hosted by the University of Wisconsin's Carnivore Coexistence Lab. I thought that was a good solution that appeared to address the WDFW's concerns and would still allow commissioners (along with the rest of the public) to have access to this important discussion.

As a result, I was stunned when some commissioners who had registered for the webinar contacted me at the last minute and told me they were unable to attend, because the WDFW's legal counsel had instructed them that they could face personal liability if they did so. Apparently, the concern was that if more than four commissioners attended, the webinar would constitute a "meeting" under Washington's open public meetings law.

I am not a lawyer, but I was so surprised by this turn of events that I did a little research into Washington's public meetings law. I found [this excellent website](#) summarizing the law, which I would encourage you all to visit. It assembles several documents that discuss when a gathering constitutes a "meeting." In order to have a "meeting," a majority of commissioners must gather with the "collective intent of transacting the governing body's business."

It is very hard for me to see how independently watching the same webinar could be considered a "gathering," any more than it is a "gathering" if all of you watch the same news station at the same time. I am certainly not aware that commissioners had any intent to transact commission business during the webinar, but even if they did, they would have been unable to do so, because it was structured in such a way that attendees could not speak or otherwise communicate with one another. The MSRC website also contains an [opinion from the state attorney general](#) that directly addresses the question of whether attendance at an event put on by a third party could count as a "meeting." The opinion advises that it would only be a "meeting" if the members used that forum to take official action. As I assured the commissioners who contacted me with concerns, we took pains to make that impossible.

From an outside point of view, it appears that the WDFW leadership, with the assistance of its attorney, was simply trying to prevent commissioners from being exposed to the kind of independent science that is crucial for you to do your jobs. The legal objection to the webinar

was that it was not noticed as a public meeting; but leadership also prevented the wildlife committee chair from having the same discussion during a properly noticed public meeting. In other words, commissioners were told that they could not be exposed to this information *during* a meeting, and also that they could not be exposed to it *outside of* a meeting. Combined, this advice effectively shut off all avenues for the commissioners to learn as a group from the nation's leading experts about the science they have published in the world's best peer-reviewed, scientific journals.

As a scientist, I deplore the conduct of the WDFW in this case, which is diametrically opposed to the principles of scientific integrity [published by the National Academies in 2017](#). I hope commissioners are similarly distressed by the WDFW's attempt to control what information you learn, especially when it is relevant to many of the important issues that you are expected to decide. I urge you to take steps to ensure that the content you receive is not being censored.

Second, the WDFW is misusing some of my science in a recommendation it is presenting to the commission this weekend. I was recently forwarded a link to a [recommendation that Julia Smith](#) is making to the commission this Saturday regarding its decision on a rulemaking petition, asking me if it is accurate to say that my science endorses the lethal removal of "problem" wolves as a way to address livestock predations.

Ironically, the recommendation follows on the heels of a [presentation schedule for earlier that day](#) on the importance that the WDFW places on "scientific integrity," because the misuse of my science violates important principles of scientific integrity.

The recommendation quotes a book chapter that I wrote in 2005 with my wife, Dr. Lisa Naughton. The WDFW took two statements from that publication out of context, ignored the rest of that chapter which did not support its policy position, and ignored all the subsequent research I have done in the past 18 years that undermines that position.

The quotes the WDFW used are as follows: (1) "short, selective removal of problem animals by government agents may be necessary to protect wildlife from extinction via widespread, illicit retaliation" and (2) "when highly endangered species kill livestock or take human lives, the best form of lethal control is highly accurate, selective removal of 'problem' animals by formally appointed and trained agents." These statements are both outdated and taken out of context.

- **Outdated:** This 18-year-old article proposed a hypothesis that we later tested, revealing the results in multiple later papers that the WDFW does not mention. In three studies,¹ we looked at data on human attitudes toward wolves and found that killing wolves worsens public attitudes toward and tolerance for wolves. In five studies,² we looked at the survival of collared wolves in five states' wolf populations and found that state killing of wolves did not lessen "widespread, illicit retaliation," but, to the contrary, such retaliation actually rose following state lethal control.

Science makes progress and our 2005 article has been shown to be wrong on that point. It is unethical to use this quote while ignoring nearly two decades of additional research that explored this hypothesis further.

- **Out of context.** This is the additional discussion surrounding the quote that the WDFW choose to excerpt:

The relationship between the control method and illicit killing by stakeholders must also be considered and quantified. ... Also, governments must control other sources of wildlife mortality lest government culling be additive with private, illicit killing and together undermine wildlife population persistence... Although killing a problem animal may temporarily placate local complainants, it does nothing to instill ownership or a sense of responsibility for the species among rural citizens who will probably continue to resent the presence of “the government’s animals.” *[Note: this last phrase is a direct quote from a respondent in Wisconsin and a respondent in Uganda, which we quoted to illustrate the similarity of attitudes across continents. It is a relationship to wildlife that we do NOT endorse.]*

Given uncertainty about stochastic causes of mortality in most large animal populations, we suspect that erring on the side of caution is the best way to maintain wildlife population viability for certain species... Achieving this coexistence will entail technological innovation, including developing better non-lethal deterrent methods, more accurate identification of problem animals and conflict sites, and improved monitoring of the impacts of control programmes.

Notably, this article is the only authority the WDFW cites as support for its assertion on page 3 of the recommendation that “lethal control [is] a strategy to promote wildlife conservation.” Taken in context, our 2005 article clearly does not endorse that position.

It is a breach of scientific integrity to cite an outdated article, out of context, and without referring to the best available science that contradicts some of the statements in that article. This practice is called “selective citation” and “unfair “handling of evidence by the National Academies in their 2017 report, which concludes that “...careless or negligent crediting of prior work violates the value of fairness.” (p.36).

I ask in the strongest of terms that the WDFW immediately correct this breach of scientific integrity and present the best available science to summarize what we know about how killing carnivores influences public attitudes. This would include the articles mentioned above, all of which can be found [here](#). I also recommend the commission review a short article authored by me and Dr. Jeremy Bruskotter, which was [published in Science in 2014](#). You can find full citations to these articles and related content in my [slide deck](#) from last week’s webinar, listen to me discuss them [in a recording of that presentation](#), and read [panelist responses to additional questions](#).

I understand the commission is developing a policy on the best available science, and I commend you for taking that important step. I encourage you to develop a rule that asserts your independence and authority, values a free exchange of ideas, encourages both staff and commissioners to learn from independent scientists as well as agency sources, and upholds the ideal of trustworthy science. I also hope you keep in mind the following:

- Not all peer-reviewed journals are equivalent. I commented above on the quality of the journals in which we have published. They are all internationally renowned and high in scholarly impact. Not all peer-reviewed journals are equivalent. The quality of

journals can be judged by a combination of their impact factors (or similar indices), whether they subscribe to the Committee on Publication Ethics, and policies on disclosures (admittedly harder to evaluate). In my webinar, I summarized why Bradley *et al.* 2015 is not reproducible science, and that shortcoming is one effect of the weakness of the journal in which it was published—the Journal of Wildlife Management, which did not subscribe to the Committee on Publication Ethics until 2022. Other go-to journals, like the Proceedings of the Vertebrate Pest Conference, are still not signatories. I recommend the commission include a simple system for interrogating the quality of the places in which an article is published when determining how to weigh its conclusions.

- The most reliable science is produced by a community of scientists that is diverse, independent, self-skeptical, and completely transparent about potentially competing interests. That ideal articulated by generations of scientists has been synthesized concisely by the nationally renowned historian of science, Naomi Oreskes (2019) in her comprehensive, scholarly book “Why Trust science?” (Princeton University Press) which can be read for free [here](#).

To live up to this ideal, I point you to the [full disclosure](#) of my potentially competing interests and my [complete CV](#). Please consider my door open for any questions or concerns about the issues addressed in this letter and any of my scientific work.



Adrian Treves, PhD,
Professor of Environmental Studies
University of Wisconsin-Madison
+1-608-890-1450
atreves@wisc.edu

¹ Treves, A., Naughton-Treves, L., Shelley, V.S., 2013. Longitudinal analysis of attitudes toward wolves. *Conserv. Biol.* 27, 315–323; Browne-Nuñez, C., Treves, A., Macfarland, D., Voyles, Z., Turng, C., 2015. Tolerance of wolves in Wisconsin: A mixed-methods examination of policy effects on attitudes and behavioral inclinations. *Biol. Conserv.* 189, 59–71; Hogberg, J., Treves, A., Shaw, B., Naughton-Treves, L., 2015. Changes in attitudes toward wolves before and after an inaugural public hunting and trapping season: early evidence from Wisconsin's wolf range. *Environ. Conserv.* 43, 45-55.

² Santiago-Ávila, F.J., Chappell, R.J., Treves, A., 2020. Liberalizing the killing of endangered wolves was associated with more disappearances of collared individuals in Wisconsin, USA. *Scientific Reports* 10, 13881. /10.1038; Santiago-Ávila, F.J., Treves, A., 2022. Poaching of protected wolves fluctuated seasonally and with non-wolf hunting. *Scientific Reports* 12, e1738 10.1038/ s41598-022-05679-w; Santiago-Ávila, F.J., Agan, Hinton, J.W., Treves, A. 2022. Evaluating how management policies affect red wolf mortality and disappearance. *Royal Society Open Science* 9(5); Louchouart, N. X., Santiago-Ávila, F. J., Parsons, D. R., & Treves, A. (2021). Evaluating how lethal management affects poaching of Mexican wolves. *Royal Society open science*, 8(3), 200330; Louchouart, N. X., 2023. Don't judge the roar by its echo: Tests of assumptions, tools and policies for human-carnivore coexistence in North America. University of Wisconsin-Madison.