



Exercising the Right

A Bear of a Time

This column usually features stories of humans acting like animals and getting themselves shot by their would-be victims acting in self-defense. But this story out of Canton, Connecticut, involved an actual animal getting shot in what appears to be a case of a human acting in self-defense. WFSB.com reported on June 3 about a local business owner who was forced to kill a black bear after it charged at him. The Connecticut State Department of Energy and Environmental Protection (DEEP) has assumed total control of the investigation from the Canton police, but Captain Andrew Schiffer explained to the local media what happened: “The essential facts are that the bear had been in a trash bin and there was trash debris spilled.... The business owner was cleaning up and the bear returned to the bin. The business owner said the bear advanced on him and he shot the bear in self-defense.”

The wild story got even wilder when WFSB’s cameras recorded a second bear in the same area where the first one was shot. Bonnie Shugrue, who takes dance lessons near the business where the bear was shot, was not surprised by what happened. She told WFSB that she “saw a bear walking through this parking lot a couple weeks ago,” and that there are also a lot of bears near where she lives. “The bears in our neighborhood, they know [garbage] pick up is Tuesday and so they come down from the hills and knock ... all the garbage cans over.”

Connecticut state law permits the killing of bears during normal hunting season by licensed hunters using bear tags issued by DEEP, but bears can also be killed in self-defense outside of the hunting season if certain conditions are met. In this particular case, a determination as to whether the shooting of the bear was justifiable self-defense will hinge on whether the shooter had a reasonable belief that the bear was about to inflict great bodily harm on him.

Connecticut State Representative Eleni Kavros DeGraw, who co-sponsored the legislation that makes up the current state law on the subject, explained, “There were various bear mitigation efforts in there but yes there was a piece that if someone felt threatened by a bear coming at them that they would be allowed to defend their lives, so to speak.” DeGraw advocated more preventative steps to decrease the odds of inadvertently attracting a bear, and encouraged the use of a bear-proof trash can called the “Bearicuda.” If you can’t get a Bearicuda, she advised, “spray your cans down with ammonia if you don’t have the bear resistant garbage cans.”

The DEEP investigation is currently ongoing, but based on the known facts, it seems likely that the business owner’s actions were justified under the applicable law.

Another Animal Attack!

Outdoor Life reported on May 31 about another animal-involved shooting, this one in the Snake River bottoms in Blackfoot, Idaho. Thirty-six-year-old sportsman Jim Dietz was out hunting turkeys when he came across a moose with her calves, and things quickly went south. “It was late afternoon, and I was out enjoying the woods, walking, looking and scouting for turkeys.... There were only a few days left in the Idaho season. I was moving through some brush near a creek I didn’t know was there when I heard a loud roar, like a bear.... There are bears in the Snake River bottoms, and that roar got my attention. That’s when I saw a cow moose stand up in front of me. She just rose out of the brush.... I’d



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unknowingly cornered her and her two calves against the creek. I startled her, and she charged,” Dietz told *Outdoor Life*.

Since Dietz was an experienced hunter who knew his wildlife, he realized the serious nature of this encounter and immediately took actions to save his life. At first, he fired his 12-gauge shotgun in front of the charging moose, hoping it would scare her off and get her to stop the attack. “My first shot in front of her at the ground was about 18 yards, and she didn’t flinch.... My second shot to the ground in front of her was about 10 yards away from me. But it had no effect,” Dietz said.

Dietz was firing turkey load, which is perfect for hunting turkeys but not nearly as effective with a big game animal such as a moose. After Dietz’s first two shots failed to halt the charging beast, the moose knocked him to the ground, at which point he had no option but to use his final shot at close range. “When I fired my last round, she was tackling me. She was right on top of me. My gun barrel was only six inches from the top of her head when I fired that last load at her skull,” he told *Outdoor Life*.

That blast was effective at such close quarters, and the wounded animal retreated back to her two calves, where Dietz lost sight of her. Dietz felt beaten up but did not suffer any injuries other than some scrapes and bruises. He explained to *Outdoor Life*, “I felt like I’d been body slammed by an NFL linebacker.... A week after the attack and I’m still hurting.” Dietz is no small person at 6’3” and 263 pounds, but the much larger moose could have seriously injured him and maybe even killed him had he not shot her when he did.

Dietz believed that the moose survived the encounter because he later saw her bedded in some brush at a distance and her calves were nursing from her. He reported the incident to the Idaho Fish and Game department. Jennifer Jackson, spokesperson for Idaho Fish and Game, told *Outdoor Life* that such incidents with cow moose occur frequently, and she encouraged anyone going afield to carry bear spray to fend off any aggressive attack. “Wild animals don’t need to have sharp teeth and claws to be formidable animals that can be dangerous.... Moose are a joy to observe, but they are not cute and cuddly. They are wild, and in spring are more defensive and present a different level of danger that people should know about,” she said.

Dietz is glad he survived but, looking back, he wishes he had done things differently: “Thinking about it all now, if I’d shot directly at her with my first round at 18 yards, that might have made her turn away sooner.... It might have saved both of us some pain.”



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