



Game & Fish cuts ties with researcher in jaguar case

By Tony Davis

The Arizona Game and Fish Department has virtually disowned Emil McCain, the biologist and jaguar researcher who has come under investigation for his alleged role in last year's capture of jaguar Macho B.

McCain worked closely with Game and Fish officials before and throughout the time the animal - the last known wild jaguar in the United States - was captured, radio-collared, recaptured 12 days later and then euthanized because of health problems.

But the department said this week that McCain was not working for it as a contractor, subcontractor or a volunteer when Macho B was first captured on Feb. 18, 2009.

The comment came during a response Game and Fish made to an earlier, sharply critical report by the U.S. Interior Department's Inspector General's Office about the jaguar capture.

Environmentalists said Game and Fish is contradicting its past praise of McCain, which came before the law enforcement division of the U.S. Fish and Wildlife Service began its separate criminal investigation about a year ago into the capture.

In its Jan. 21 report, the Inspector General's Office said criminal investigators had compiled evidence linking a Game and Fish subcontractor to criminal wrongdoing in the jaguar capture. The report didn't identify the subcontractor, but its description clearly matched that of McCain.

McCain has been accused by a former colleague, research technician Janay Brun, of telling her to plant female jaguar scat at the site where Macho B was trapped. They were supposed to be conducting just a mountain lion and bear

study, and Game and Fish originally said the jaguar capture was accidental.

Brun's accusation - which McCain has denied - was that Macho B was lured by the scent of the scat and the capture was intentional. That sparked the criminal investigation. The Inspector General's Office said Game and Fish lacked the permit needed under the Endangered Species Act to legally capture a jaguar, which Game and Fish denied.

Game and Fish's response of last Tuesday said that, "By Feb. 18, 2009, when Macho B was initially captured, Emil McCain was acting on his own behalf."

This was one of what Game and Fish called "a plethora of material factual and legal errors and omissions of fact" that it said compromises virtually every finding in the inspector general's report.

Game and Fish accused the Inspector General's Office of exceeding its authority by carrying out work that belongs under the U.S. Fish and Wildlife Service's law enforcement branch.

Overall, the report "is neither accurate, objective, nor impartial," Game and Fish wrote. It said that it will seek a review of it by the Integrity Committee of the President's Council on Integrity and Efficiency.

The Inspector General's Office didn't return phone calls and e-mails from the Star about Game and Fish's response.

Nicholas Chavez, who heads the Fish and Wildlife criminal investigation, declined comment on Game and Fish's statement that the inspector general exceeded its authority, saying he doesn't want to hinder the continuing criminal case. He said the investigators have largely finished their interviews, but could be asked to do more if necessary by the U.S. Attorney's

Office, which is reviewing the case to see if prosecution is warranted.

Game and Fish also declined to answer Star questions about its written response. "The response ... released by the department on April 20 stands on its own," Game and Fish spokesman Bob Miles wrote in an e-mail Friday.

As of mid-November 2008, McCain was working as a subcontractor for Clark's Guide Service on the Game and Fish Department's bear-mountain lion study during which Macho B was later captured, e-mails obtained by the Star from Game and Fish show.

He continued to work on setting and preparing traps for that study at least until Feb. 4, 2009, two weeks before the capture. But the Game and Fish response said Clark's Guide Service submitted a single billing, for services on Dec. 4, 2008.

Tucson environmentalist Sergio Avila said Game and Fish's statement that McCain was no longer a department subcontractor is irrelevant, given its close working relationship with McCain and his colleague Jack Childs of the Borderlands Jaguar Detection Project over the years.

In March 2009, shortly after Macho B's death, the Game and Fish Department wrote, "It is impossible to overstate the extent to which ... Jack Childs and Emil McCain, the field arm of the Jaguar Conservation Team, made this capture-and-collaring event possible," Avila noted.

"Whether they were advisers or volunteers or anything, it is clear that they (Childs and McCain) were working on behalf of the department," said Avila, a biologist for the Sky Island Alliance who has worked on jaguar conservation.