

January 20, 2022

Gary Hagler  
 Chief, Law Enforcement Division  
 Michigan Department of Natural Resources

Via e-mail: [haglerg@michigan.gov](mailto:haglerg@michigan.gov)

Re: Request to Investigate Oswald's Bear Ranch for Apparent Violations  
 of Michigan's Large Carnivore Act

Dear Chief Hagler:

I am writing to follow up on PETA's August 12, 2021 letter requesting that the Michigan Department of Natural Resources (MDNR) investigate Dean and Jewel Oswald, dba Oswald's Bear Ranch (Oswald's), for allowing its patrons to come into contact with black bears—a species native to Michigan—in apparent violation of Michigan's Large Carnivore Act (LCA). PETA urges the MDNR to immediately place Oswald's on notice that it may no longer allow patrons to engage in direct contact with bears, and to pursue all available penalties should it fail to comply.

Since PETA's original correspondence, the U.S. Department of Agriculture (USDA) filed a formal complaint against Oswald's alleging willful violations of the federal Animal Welfare Act (AWA), which resulted in a consent decision and order requiring Oswald's to pay a \$2,400 civil penalty. *See* Ex. 1, [Complaint](#), Oswald's Bear Ranch, LLC, AWA Docket Nos. 22-J-001, 22-J-002, 22-J-003 (Oct. 7, 2021) (alleging violations for maintaining enclosures that allowed two bears to escape and for failing to provide the animals an adequate diet); Ex. 2, [Consent Decision and Order](#), Oswald's Bear Ranch, AWA Docket Nos. 22-J-0001, 22-J-002, 22-J-003 (Dec. 6, 2021).

The LCA, which regulates the possession, confinement, and control of large carnivores, including bears, prohibits exhibitors from allowing its patrons to engage in direct contact with large carnivores or any contact with carnivores over 20 weeks of age that is considered close enough to place the patron in jeopardy of harm. Mich. Comp. Laws §§ 287.1102(f)(ii), 287.1122(4)(d)(i)–(ii). The LCA provides only one limited exception to this general prohibition, which permits an exhibitor's patrons to come into contact with bears that are less than 36 weeks of age or 90 pounds or less, only if the exhibitor meets the criteria of Mich. Comp. Laws § 287.1122(4). *See id.* § 287.1122(5) (providing an exemption only to “a person who otherwise meets the requirements under subsection (4)[,]” among other things); *Id.* § 287.1122(4). ***Section 287.1122(4) states that an exhibitor must hold a valid USDA license and that the agency has not issued them “a finally***

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*determined direct or critical noncompliance [ ] or a civil penalty . . . , including a monetary penalty” within the last five years. Id. § 287.1122(4)(b)–(c) (emphasis added).*

According to the LCA, [Oswald’s Bear Ranch](#) is, as a matter of law, no longer exempt from the LCA’s prohibitions on public contact with large carnivores, and is now prohibited from allowing patrons to come into close contact with a large carnivore over 20 weeks of age or direct contact with any large carnivore until at least December 6, 2026 or for five years from the date that the USDA issues it a direct or critical noncompliance or civil penalty:

- On May 30, 2019, the USDA issued a finally determined **critical noncompliance** after two bears escaped from the enclosure where Oswald’s keeps the cubs used for photo ops. Ex. 3, USDA Citation of Dean and Jewel Oswald (May 30, 2019).
- On December 6, 2021, the USDA issued a consent decision and order requiring Oswald’s to pay a **monetary civil penalty** in the amount of \$2,400 for violations of the AWA. Ex. 2, [Consent Decision and Order](#), Oswald’s Bear Ranch, AWA Docket Nos. 22-J-0001, 22-J-0002, 22-J-0003 (Dec. 6, 2021).

The LCA provides authority to issue notices of violation to “law enforcement officers,” a term that is defined to include MDNR conservation officers. *Id.* §§ 287.1114(1), 287.1102(g)(vi). A violation of the LCA is a misdemeanor and is punishable by imprisonment, community service, and the loss of privileges to own or possess any animal. *Id.* § 287.1115. A violation of the LCA by the owner of a large carnivore also subjects the animals to civil forfeiture. *Id.* § 287.1116(1).

Despite being prohibited by the LCA from allowing patrons to come into contact with the cubs it confines, Oswald’s website indicates that it has [continued to offer photo ops with bear cubs](#) and allow patrons to touch the large carnivores in apparent violation of state law.

Accordingly, PETA respectfully requests that the MDNR investigate Oswald’s Bear Ranch, **provide it explicit notice that it is prohibited from allowing patrons to engage in contact with bear cubs**, and hold them fully accountable for any and all violations of the LCA, including by issuing notices of violation, seeking civil forfeiture of the bears, and revoking their privilege to own or possess any animal. PETA stands ready to assist in any way, including by referring qualified, independent bear experts to assess the animals and by securing reputable, appropriate placement and transportation if the animals are confiscated.

Very truly yours,



Jonathan Morris  
Counsel, Captive Animal Law Enforcement