

February 7, 2024

Roger A. Young  
Executive Director  
Executive Director's Office

Colonel Brian G. Smith  
Director  
Division of Law Enforcement

Via email: [REDACTED]

**Re: Kodiak Bear Escape in Baker, Florida**

Dear Director Young and Colonel Smith:

I am writing on behalf of PETA regarding the [December 5, 2023 escape of two Kodiak bears](#) from Shae Hensley's unlicensed facility in Baker Florida. Over a month prior to this escape, PETA alerted the Florida Fish and Wildlife Conservation Commission (FWC) to Hensley's apparent illegal importation and possession of these two bears.<sup>1</sup> There is no indication in the court filings charging Hensley with eleven violations of Florida's captive wildlife laws that FWC investigated PETA's complaint. If the FWC had responded more quickly to PETA's complaint, this escape and the subsequent public safety risk could have been prevented. Further, PETA's complaint and the criminal charges against Hensley document that Larry Wallach—an out-of-state licensee based in Hauppauge, New York—was involved in the unlawful importation of these cubs into Florida, and PETA urges the FWC to hold Wallach equally accountable.

On October 27, 2023, PETA submitted a complaint to FWC informing it that Hensley and Wallach reportedly received two Kodiak bears from Space Farms Zoo<sup>2</sup> in February 2023, and that the receiving address listed on the bears' certificate of veterinary inspection (CVI) was Hensley's unlicensed facility at [REDACTED].<sup>3</sup> PETA further informed the FWC that while the CVI documented that these bears were likely at Hensley's facility, there was no recent publicly available information confirming their whereabouts. This put the FWC on notice that two Kodiak bears were apparently unlawfully imported into Florida and their whereabouts were unconfirmed, which alone should have warranted a prompt investigation.

Kodiak bears are a Class I species in Florida, who are considered to "present a real or potential threat to human safety."<sup>4</sup> Yet, despite being notified that two dangerous wild animals were likely being held at an unlicensed facility back in October, it does not appear that the FWC began to investigate until receiving the dispatch call that these two

<sup>1</sup> See Ex. 1 (Oct. 27, 2023, complaint submitted to FWC regarding the apparent unlawful importation of two Kodiak bears).

<sup>2</sup> 218 County Road 519, Sussex, New Jersey 07461.

<sup>3</sup> See Ex. 1.

<sup>4</sup> *Class I Wildlife*, FLA. FISH & WILDLIFE CONSERVATION COMM'N, <https://myfwc.com/license/captive-wildlife/class-i>.

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bears were found walking down Old River Road on December 5th.<sup>5</sup>

During its investigation, the FWC, unsurprisingly, found Hensley was housing these two bears in a wholly inadequate enclosure that fell far below the strict facility and caging standards required for Class I wildlife in Florida.<sup>6</sup> Hensley admitted to forgetting to lock the enclosure, which led to these two bears escaping and wandering around a residential area.<sup>7</sup> Hensley failed to report that two dangerous wild animals had escaped his property, and the bears were ultimately found by a member of the public<sup>8</sup>, who could have been seriously injured. Thankfully, this citizen recognized these bears were not native black bears and had the wherewithal to call the authorities before anyone was hurt.

This extremely dangerous situation could have been prevented if the FWC had responded to PETA's complaint and inspected Hensley's property back in October. The FWC had all the information it needed to locate and seize these bears *over a month* before this escape occurred. PETA reported this unlawful activity to the FWC, warning that as an unlicensed facility, Hensley was almost certainly not in compliance with Florida's strict caging and facility requirements.<sup>9</sup> The FWC's failure to act promptly led to these dangerous wild animals escaping from a noncompliant enclosure and wandering around a residential area in the middle of the night.

PETA also reported to the FWC in its October complaint that Larry Wallach's Class I/II license was used to unlawfully aid Hensley in circumventing the FWC's licensing regulations, which proved true when Hensley handed officers Wallach's expired license when questioned about his authority to possess these bears. Wallach, as PETA reported and the FWC investigation confirmed, is an out-of-state licensee who is not authorized to house bears at any permanent facility in Florida. Wallach has not exhibited animals in Florida for years and cannot legally possess in his home state of New York any of the Class I/II animals he claimed to have on his 2022 license renewal application.

Wallach skirted through his 2022 license renewal by providing inventories and itinerary information that are either verifiably false or questionable at best to maintain licenses that he clearly no longer needs for any lawful purpose. Now, his license was used to illegally import two Kodiak bears into Florida and to house them in a cramped 10x20 chain-link enclosure at Hensley's unlicensed facility. PETA strongly urges the FWC to take immediate action, if it has not already, and hold Wallach equally accountable for his role in the unlawful import and possession of these two bears, including the termination of Wallach's Class I/II and III licenses.

Thank you for your attention to this important matter. I look forward to hearing from you.

Very truly yours,

  
Emily Lively  
Counsel, Captive Animal Law Enforcement  


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<sup>5</sup> See Ex. 2 (Records received from Okaloosa County Clerk of the Court).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> See Ex. 1 at 5.