

Meeting Notes

Subject: David Helmers' Request to Modify Archery Equipment

Meeting Date: July 7, 2021

Time: 1:00 p.m.

Location: via Telephone Conference Call

In Attendance: David Helmers, Requestor; Kqyn Kuka, FWP Tribal Liaison and Diversity Coordinator; Kim Howell, FWP Human Resources Manager; Aimee Hawkaluk, FWP Attorney; Kaedy Gangstad, FWP Paralegal

Below is a synopsis of the meeting and not verbatim minutes.

Ms. Kuka introduced herself and explained her role and what the meeting was about, including any current accommodations Mr. Helmers has and what specifically he is requesting and why.

Mr. Helmers asked what other accommodations others have. Ms. Hawkaluk explained that there have been some, but she wasn't aware that crossbows had ever been one of them, and explained that this was kind of new, and then introduced herself and her role, and explained that we are fact finding in order to get the process right.

Kim Howell introduced herself.

Ms. Hawkaluk explained this was just a conversation for collecting information, not a hearing and no decision would be made today.

Mr. Helmers asked if any of us on the call had the authority to make a decision and Ms. Hawkaluk responded no and explained that the Fish and Wildlife Commission was the decision-making body, and that because of their meeting requirements that we were just helping out and doing the work for them.

Mr. Helmers explained that he had requested this accommodation back in 2011, and was denied because crossbows weren't allowed during archery season. He also said he had a complaint with DOJ. He's been in communication in the past with Ron Aasheim about the issue. He stated he thought it was a violation of his civil rights, and that he'd been in contact with someone at the AG's office, who told him the Governor could give him the accommodation and the Commission didn't need to. He said he thought this meeting to gather information seemed like it wasn't necessary and that this did not need to go to the Commission.

Ms. Hawkaluk addressed the 2011 denial letter and how we're trying to do this process differently from how it was done back then.

Mr. Helmers stated he'd been offered equipment but that he couldn't use it and wondered why a state agency was relying on outside agencies such as the Montana Bowhunters Association.

Ms. Hawkaluk explained that previous commission had adopted what's currently in place and that she wants to individually learn about his request. She said that FWP's Director wants to be involved in this and will know about it. She explained that Mr. Helmers would have the ability to speak to the decision-makers later.

Ms. Kuka asked what exactly Mr. Helmers needed and why he was requesting the accommodation now.

Mr. Helmers explained he had been fighting this since 2008. He explained that recoil is more difficult as far as rifles go and that cold weather is an issue due to metal implants in his knee and neck and back surgery. He said he has given up his permit to hunt from a vehicle because of the passenger requirement and retrieval person. He explained he no longer has someone to go with him, and that he's been run off of block management areas.

Kqyn asked about recoil on the archery equipment he currently has. Mr. Helmers stated he could not use it at all, can't draw it back and can't stabilize it vertically. Has an 8 pound limit.

Ms. Kuka asked if it was modified. Mr. Helmers said it was modified to state regulations but not for him.

Ms. Howell asked if there was a way to modify his current equipment to make it work for him. Mr. Helmers responded no, that he's been trying since 2008. His physical therapist told him he was the perfect candidate for a crossbow.

Ms. Hawkaluk asked if he was looking to use a crossbow with a handcrank. Mr. Helmers responded yes.

Ms. Hawkaluk asking about the cold weather, and if that was the main reason he was looking to use a crossbow during archery season instead of the regular hunting season. Mr. Helmers responded yes and that he also wants to use it during the fishing season for carp. Mr. Helmers clarified that he was looking to use a crossbow during any season that an archery bows are allowed.

Ms. Kuka asked if there was anything he wanted to add or elaborate on before we concluded the call.

Mr. Helmers stated he wanted the legal side of the state to comply under the ADA, that accommodations cannot be standardized. He expressed he thought it was illegal to make someone ride with him to hunt from a vehicle. He wants independence and denying his request is a civil rights issue. He doesn't want to pursue legal action but feels he needs to do something for himself. He spent 16 years in law enforcement and was a certified hunting instructor. He mentioned a letter from Rocky Mountain ADA Foundation that said everything is in violation. Ms. Hawkaluk asked if we could get a copy of the letter. Mr. Helmers gave the name of the person at the foundation that we could contact and get a copy from. Mr. Helmers expressed he would like this to happen before antelope season if possible.

There was some discussion about Mr. Helmers issues with specific block management areas and landowners and Ms. Hawkaluk offered to further look into those for Mr. Helmers.

Contact Information of FWP staff in attendance:

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Meeting notes completed by Kaedy Gangstad on July 6, 2021 at 4:50 p.m.

Copies of meeting notes to:

Mr. David Helmers

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