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KITTITAS COUNTY
SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON FOR KITTITAS COUNTY

STATE OF WASHINGTON,
Plaintiff,

No. 24-1-00045-19

vs.

**MOTION AND AFFIDAVIT
OF A SUMMONS**

BRADEN F. TAHKEAL,
Defendant.

I. MOTION

The deputy prosecuting attorney moves for authority to issue a summons to the defendant:

Name: BRADEN F. TAHKEAL
Date of Birth: 02/23/1972
Height: 5'10 Weight: 255 Eyes: Brown Hair: Black
Tattoo:

Alias:
Residing at/Last known address: 3512 S 62nd Ave
Yakima, WA 98903

Alternate address: 3512 S 62nd Ave
Union Gap, WA 98903

Based on the attached report:

DATED: February 13, 2024

PATRICIA D. TODD
Deputy Prosecuting Attorney
WSBA # 38074

GREGORY L. ZEMPEL
KITTITAS COUNTY PROSECUTOR
Kittitas County Courthouse - Room 213
Ellensburg, WA 98926
(509) 962-7520

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WDFW POLICE

Incident #: WA-20-006758 Detective Hahn Supplemental

On July 24th, 2020 Washington Department of Fish and Wildlife (WDFW) Sergeant Cody Watts called me and said Officer Shawn Myers received a report of a Yakama tribal member killing 42 elk and selling them to a "Russian" subject in the Portland area. The reporting party (RP-1), who wanted to remain anonymous, said it was Braden Tahkeal who was killing the elk but he didn't know who the "Russian" subject buying them was. I called United States Fish & Wildlife Service (USFWS) Special Agent (SA) Richard Bare to discuss the case with him as did Sgt. Watts.

On August 3rd, 2020 SA Bare, Oregon State Police (OSP) Fish and Wildlife Detective Clint Galusha and I conducted a 4-way interview over the phone with RP-1. SA Bare recorded the interview. RP-1 told us the following in substance:


- He had close connections to Tahkeal and his family.
 - Tahkeal told him around October of 2019 he had killed 42 elk and sold them to a "Russian dude over in Portland" throughout the 2019 hunting season.
 - The "Russian" buys bull elk for \$1,000 and cow elk for \$800.
 - Tahkeal has known the "Russian" for over two years and thought he may have been introduced to him through Ernie Edwards who was another Yakama tribal member.
 - Tahkeal drives a Ford F-350 with a white canopy which belongs to his brother. Tahkeal will transport the elk to the "Russian" on a flatbed trailer.
 - Tahkeal will hunt in a red Ford Bronco.
 - Tahkeal doesn't have a job besides selling elk. He is also heavy into gambling.
 - Tahkeal shoots a lot of the elk in orchards and fields near his house which RP-1 didn't think he had permission to hunt. He described these properties as being on the Yakama Indian Reservation.
- RP-1 had recorded a conversation he had with Tahkeal. I later learned he had given a copy of this recording to SA Bare.

Also on August 3rd, 2020, I located a Facebook Marketplace post by Braden Tahkeal in which he said, "ISO stihl bar". "ISO" meaning, "In Search Of". In the description section of the post, it said, "iso of a stihl 24 or 25 inch bar. let me know what ya have. send pm". He posted the ad six days prior. Using a fake account, I sent the following Facebook Messenger message to him:

Detective Hahn: *I bet my buddy has one if you still need one? What's your phone*

number, he's not on FB. I'll have him hyu.

Tahkeal: 5099015827

Detective Hahn: 

Tahkeal: *thanks*

I then passed on Tahkeal's phone number to WDFW Officer Denis Budai along with some pictures of a Stihl chainsaw bar SA Bare had forwarded me. See Officer Budai's report regarding his conversation and subsequent contact with Tahkeal.

SA Bare and Detective Galusha told me Tahkeal had a lot of photo's of dead elk on his Facebook account. They also saw the vehicles RP-1 said Tahkeal drove on the account. They located two eastern European, i.e. "Russian" people on Ernie Edwards' Facebook account. Ivan Golovach lived in Troutdale, OR located just outside Portland, OR and Vasiliy Burchak who lived in Vancouver, WA. Golovach was a convicted felon and had been investigated by USFWS in the past for fish and wildlife trafficking.

On February 28th, 2021, Washington Department of Fish and Wildlife (WDFW) Officer Denis Budai told me he had been in contact with Tahkeal. Through a series of conversations, including text messages, Tahkeal offered to sell Officer Budai an elk for \$400 and an entire fish tote (~ 1,000 pounds) of smelt for \$1,800.

Note for the Court: Trafficking edible parts of wildlife with a value over \$250 is a class B Felony, and a C Felony if the value is under \$250 (RCW 77.15.260 - Unlawful Trafficking of Wildlife). Wildlife includes fish and elk amongst many other things. Under the Revised Yakama Nation Wildlife Code 32.110.31 it is unlawful for Yakama Tribal members to sell the edible parts of wildlife on the reservation unless: 1) they have a valid Yakama Nation Business License issued pursuant to the Yakama Nation Law & Order Code 30.02.09 and 2) there is a Tribal Council Resolution authorizing such commercial activity. It is also against their code (32.110.01(C)) to harvest female deer and elk between January 1st and August 31st of each year. Any male deer or elk harvested must have the genitals or head attached to the carcass until such carcass is processed or stored for consumption.

Note to the court: Pursuant to authorization T-90-66 and the revised Law and Order Code, the Yakama Nation Fish and Wildlife Committee authorized enrolled members listed on a 2021 Cowlitz River Smelt Fishing Permit to collect Smelt (Eulachon) in the Cowlitz River subject to the following regulations. Only smelt could be collected during this fishery and used for ceremonial or subsistence purposes only. Fishing was allowed daily except on Sunday's and the season was open through March of 2021. The head fisher was required to provide a minimum 12-hour advance notice of fishing to specific staff at Washington Department of Fish and Wildlife (WDFW). Notice will include date, time, and location of fishing. Notice was to be given by contacting Sgt. Pat Anderson at 360-580-8293,

Patrick.Anderson@dfw.wa.gov, or Laura Heironimus at 360-9066716(o),
Laura.Heironimus@dfw.wa.gov. Neither received notification from Tahkeal or known associates of his.

On March 2nd, 2021, at about 1333 hours Officer Budai and I arrived at the Flying J Travel Plaza located at 2300 Canyon Rd., Ellensburg, WA 98926 which was within Kittitas County. We were driving separate vehicles, and both were in an undercover capacity. I noticed a blue Chevrolet Colorado pickup parked in the parking lot to the south of the Flying J. I recorded the license plate as Yakama Nation plate of YN7379 which was registered to Tahkeal. WDFW Detective Justin Maschhoff was parked nearby in an unmarked vehicle using a video recorder to record (See Attachment) the contact. I did not have a court order to record the conversation so I used a video camera with the sound disabled to record (See Attachment) the contact. The time on video recorder was nine minutes slow as can be seen on the recording of the time off my phone at the end. I recognized the driver of the vehicle as Braden F. Tahkeal from a Department of Licensing (DOL) photograph I had previously obtained (See Attachment). There was a black Ford Raptor parked next to Tahkeal, and we later determined the plate on the vehicle was [REDACTED] registered to Lawrence A. Santos out of Olympia, WA. This subject might have a Facebook name of Santos Littlelight. I saw Tahkeal wave to the subject and then he drove off as we were still talking to Tahkeal. Detective Maschhoff said they had been talking outside the vehicles prior to us getting there.

Officer Budai parked between Tahkeal and I. Officer Budai greeted Tahkeal and introduced me to him since I had not met him in person before. In the back of his truck (no canopy) was a skinned, field dressed, and headless carcass. Based on my training and experience (21 years as a fish and wildlife officer, 32 years of hunting) I could tell the carcass was that of an elk based on the size, shape, and the strands of hair still on the carcass.

Tahkeal told us the following in substance:

- His buddy shot the elk on Sunday with a .270 rifle.
- It was shot near his (Tahkeal's) house and later said by Tampico, WA.
- The elk he sold us was a small bull, 1.5-year-old he claimed.
- He knows how Slavic people like them processed, i.e., bled out and the bone marrow left.
- He can get an elk anytime as there are a bunch of them that hang out right by his house.
- He showed us a picture on his black Android cell phone of seven bull elk in the back of his Colorado pickup. He said they were cut up and that's how they were able to get them all in there.
- He was impressed with how well his Colorado did. He said they drove out through the sage brush to retrieve the elk but had to be careful not to get stuck.

They had to haul (walk) some back to the truck and didn't get out that night until after 11pm.

- He pointed to where they shot the seven elk which was northeast of our location up on the hill by the windmills and close to the Columbia River. He said there was a heard of over 500 elk. That was his best day of hunting this year.
- He showed us another picture of one of the bulls from the seven with his buddy holding the rack. It was a very large bull. The elk head was on the ground and the antlers were almost as tall as the subject standing in between them.
- He said he could get Officer Budai just about any amount of spring and fall Chinook he wanted.
- A subject named "Vasiliy" bought \$7200 worth of spring Chinook last year from him. Vasiliy came from Indiana.
- Vasiliy and others will come hunt with him. He knows they (referring to Slavic people) like that because then they can process the animal their own way. He wanted Officer Budai to come and hunt with him.

Note for the court: Under the Revised Yakama Nation Wildlife Code 32.110.53 says (A) It shall be unlawful for a Yakama member to 1) Hunt or take wildlife pursuant to Treaty hunting rights for the use of any person in his or her company who is not authorized to exercise Treaty hunting rights; or 2) Allow a person who is not authorized to exercised Treaty hunting rights to hunt or take wildlife for him or her, or assist him or her in exercising such rights. (B) It shall be unlawful for a non-member to: 1) Hunt or take wildlife within Reservation pursuant to Treaty hunting rights; or 2) Hunt or take wildlife for a Yakama member or assist such member in exercising his or her Treaty hunting rights within the Reservation.

- He said we missed the sturgeon commercial season. He claimed to have caught one that was as big as Officer Budai's truck. He wished it was a female because he would have killed it and got around 70 lbs. of eggs to sell. He mentioned only being able to legally keep certain sized sturgeon.

Note for the court: Yakama Nation Fisheries Code 32.18.07(D) prohibits the retention of sturgeon resulting in their death that are not within regulation length (regulation length is 43" to 54" or 38" to 54", depending on which pool they were caught in). Under the same code, it also prohibits mutilating or otherwise altering sturgeon to conform to regulation length limits.

- He made a snarky remark about conservationists or conservation and said they don't know what they are talking about. He claimed there were hundreds of thousands of those sturgeon, "dinosaurs" in that (Columbia) river. Same with elk. He gets tired of people saying they're killing too many elk. He said he loves killing the elk and it's so fun.
- He would get Officer Budai a full tote of smelt tomorrow which he would catch himself.

Tahkeal offered to cut the elk up into smaller portions for us but wanted to

move locations south on Canyon Rd if we were going to cut it up so people didn't see us. We told him there was no need to cut it up. He still wanted to move locations to transfer the elk to Officer Budai's truck. He indicated he didn't want people seeing us move the elk.

I paid him \$400 (three \$100 bills and five \$20 bills) in cash for the elk.

I noticed his back license plate was attached to a stinger that went in and out of his back hitch. When we moved locations and got ready to transfer the elk from his truck to Officer Budai's, he removed the stinger with the plate attached. Prior to him leaving at the end of our contact he put the stinger back in. At first, I thought this was purely to hide the plate when he was doing illegal activity, but after reviewing the video footage, it appeared he also had to remove the stinger so the tailgate didn't hit the plate. Tahkeal and I slid the elk into Officer Budai's truck. We cleared our contact with Tahkeal at about 1352 hours. On my way back to Spokane I recorded the above bullet points which I remembered Tahkeal saying.

I declare under penalty of perjury under the laws of Washington that the foregoing is true and correct. (RCW 5.50.010(3)(e), 5.50.030, GR 13 & GR 30)

*Signed on the 27th day of November, 2022, at Cheney, WA.
(date) (month) (year) (city and state)*

Lenny Hahn
(printed name)


(signature)