

Petition lobbies for woman's ability to keep rescued deer, raccoons

Sharon Abercrombie | Sep. 16, 2013 Eco Catholic

In the state of Ohio, possessing wild animals is a fourth-degree misdemeanor. But the heart of Carol Deyo, a former veterinary technician, broke open at the sight of a 2-day-old fawn mangled by a hay cutter.

Deyo and her boyfriend bound up his wounds, named him Trooper and welcomed him into her farm family of goats, cats, horses, a pig and four orphaned raccoon kits. She later took in a second fawn, Patch, who was hit by a car and suffered from seizures, dehydration and starvation.

Deyo's compassion has put her in trouble with the Ohio Department of Natural Resources (ODNR): She faces up to 30 days of jail and \$500 in fines for two counts of possessing wild animals, [according to *The Columbus Dispatch*](#) [1]. Worst of all, she is haunted by the prospect of having her four pet raccoons and two whitetail deer taken away and possibly killed. The animals are unable to live in the wild on their own because all they've known is human care, the *Dispatch* reported. While the state does issue permits to keep domestic-born deer, those animals go to deer farms and private deer hunting grounds, the *Dispatch* reported.

The ODNR found out about the animals through an anonymous tip in November, and in January, the agency filed charges against Deyo, citing a 2009 state law forbidding the rehabilitation of deer.

She will go on trial before a jury Nov. 21 in Mount Vernon. The original trial was scheduled for Aug. 29, the *Dispatch* reported in its Aug. 21 edition, but Deyo's physicians requested a continuance because Deyo has cancer, and they feared the stress of a trial would have a negative impact upon her health.

Bethany McCorkle, a spokesperson for ODNR, told Eco Catholic in an email that because of impending litigation, she could not comment on questions regarding the animals' fate should Deyo lose the case.

"I can tell you we are currently looking into all possible options depending on what the judge says," she wrote. "At this time no decision has been made."

Now for a September update: Deyo held an open house for people to visit her critter friends and interact with them, according to [her Facebook page, Saving Trooper](#) [2].

A video captures the deer frolicking and playing tag with a child. It is a lovely scene. One wants to laugh and weep at the same time, watching the sweet, funny interplay between two species that aren't supposed to have anything to do with one another except during the fall hunting season, when it becomes a lopsided deal in favor of humans with guns.

Trooper, Patch and the raccoons' safe, idyllic lives could end abruptly in a few brief months, and a woman suffering from cancer could lose the animal-centered healing balm of love that has kept her going these last two years.

But there is hope. Local supporters of Deyo want to make certain this little wild animal family remains together.

They have initiated [a petition, "Saving Trooper," on Change.org](#) [3].

The petition asks the ODNR for a change in policy regarding care of injured and abandoned animals and to grant Deyo a permit so schoolchildren can see and interact with Trooper, Patch and the four raccoons. As of last count, more than 8,400 people have signed the petition.

Comments on the petition reveal there are many compassionate hearts across the world. One person wrote, "These animals do not deserve to die because they were given a second chance at life. No animals or person deserves that treatment."

One man asked, "Does it make you more of a man to kill these baby deer? All wildlife, animals and humans deserve a chance. I have saved skunks, raccoons and a hawk. It is always worth a try."

And another: "I've seen way too many times good people who face criminal charges because they have a loving heart and a God attitude."

"A loving heart and a God attitude" are words that beautifully describe the late Thomas Berry's Principles of Earth Jurisprudence. Berry, a Passionist priest, cultural historian, geologist (theologian for the earth) and author, writes, "Every component of the Earth community has three rights: the right to be, the right to habitat, and the right to fulfill its role in the ever-renewing processes of the Earth community."

Two additional Berry comments come to mind: "The earth is a communion of subjects, not a collection of objects"; and "I suspect that if we had an earth governance and every species got to vote, they would vote humans off the planet."

Lack of compassion would be 'wrong headed'

Berry's quote about a species vote has not gone unnoticed. A dozen years ago, his words wrapped themselves around Sr. Pat Siemen's conscience and wouldn't let go. A Dominican from Adrian, Mich., Siemen is an attorney who serves as founding director of [the Center for Earth Jurisprudence](#) [4] at the Barry University law school in Orlando, Fla.

While studying for a master's degree in culture and spirituality at Holy Names University's Sophia Center in Oakland, Calif., Siemen listened to some Berry tapes. She was "absolutely stunned" by his wry observation that given a choice, the earth community would probably banish the human species from its midst.

"I had spent the last 20 years working on human injustice issues and never paid attention to what we were doing to the natural world," [she told the Sophia Center](#) [5].

The Center for Earth Jurisprudence, which Siemen created in 2006, encourages students to think creatively about the responsibilities of humans toward all the members of the natural world and the need to expand legal protection for them. She previously served as a staff attorney for the voting rights section of the U.S. Department of Justice, Civil Rights Division, and as a legal services attorney for migrant farm workers in southern Florida.

Last week, Eco Catholic asked Siemen for her thoughts on Deyo's case.

"This is an awful situation," Siemen said. "It is an example of what can happen when we have laws formed in a piecemeal fashion for the human. Our laws assume that humans don't have a good sense of harmony with animals and the ecosystem."

From an earth jurisprudence vantage point, both Siemen and her law faculty colleague, Judy Koons, wrote in an

email, "It would be wrong headed not to support a compassionate response from someone caring for the needs of threatened and injured animals. Carol's was a very inspirational response. She and the animals were both suffering."

Both attorneys view the situation as a balancing act.

"Carol has cancer. The fawn's stomach was sliced open. Carol's compassion shows the beautiful situation of mutual nurturing," they wrote. "She took care of the fawn and he appeared in her life just in time when she needed a boost."

Siemen said in our phone interview she thinks Deyo should put herself at the mercy of the court. "The best resolution and the healthiest situation would be for the judge to think back to when animals have nurtured him throughout his life, then show leniency and his own humanity and grant her an educational permit," Siemen said.

In their joint email, Siemen and Koons emphasized that the Deyo case raises an interesting question: "Are we stepping into a paternalistic situation where we keep animals safe for our own purposes?" they wrote.

They said they are advocates of wildlife recovery centers that "keep animals safe while they heal and then return them to the wild, natural habitat rather than keep them enclosed."

Earth jurisprudence, they said, would advocate a treat-and-release approach, not a treat-and-keep response.

"Let us learn about them in their own homes, not in reservations or centers created for our ease and comfort ... that inhibit their freedom to exist and thrive," they wrote.

The bottom line for cases such as Deyo's, however, is the problem around loss of habitat, Siemen and Koons wrote: "We need to step back and look at what is going on here. What is causing the harm to other than human animals? What's happening that there are so many threatened animals? One reason is the collision of habitat: the loss of home turf for animals. When humans take over the natural habitats of other animals then they are left without a natural home. So the question is, what can happen for habitat restoration and protection of all species?"

Siemen and Koons said when animals can no longer survive in their natural habitats, they need to be cared for, "especially if we are the ones who caused their injury to begin with."

I wonder, in light of humankind's ongoing history of pillaging our precious Earth; present-day corporate destruction of rainforests and West Virginia mountaintops for cattle grazing; coal mining; the expansion of our wealthy suburbs with their McMansions and five-car garages; and our mega-shopping centers, many of which stand on former pristine woods and wetlands that have now been "developed," is it permissible to ask who might really be guilty of fourth-degree misdemeanors?

Earth jurisprudence, anyone?

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Links:

[1] <http://www.dispatch.com/content/stories/public/2013/08/12/former-vet-tech-faces-fines-jail-for-saving-raccoons-deer.html>

[2] <https://www.facebook.com/SavingTrooper>

[3] <http://www.change.org/petitions/saving-trooper-and-friends>

[4] <http://www.earthjuris.org/>

[5] <http://www.hnu.edu/sophia/alumni/2011/08/pat-seimen-%E2%80%94-the-new-cosmology/>