

Wisconsin Institute for Law & Liberty: Judge orders Wisconsin DNR to hold February 2021 Gray Wolf hunt

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The News: Jefferson County Circuit Court Judge Bennett J. Brantmeier issued a writ of mandamus, Thursday, requiring the Wisconsin Department of Natural Resources (DNR) to hold a gray wolf hunt in February 2021. Judge Brantmeier found that the Wisconsin DNR violated state law by refusing to schedule a winter 2021 gray wolf hunt when the gray wolf was delisted from the Endangered Species Act on January 4, 2021.

WILL [sued](#) the Wisconsin DNR on February 2, 2021 arguing that state law clearly directed DNR to conduct a gray wolf hunt in winter 2021.

The Quotes: WILL Deputy Counsel, Anthony LoCoco, said, "We are pleased the court recognized that the Wisconsin DNR ignored state law by refusing to undertake its obligation to hold a winter 2021 wolf hunt. It is not up to state agencies to decide when to follow the directives in state law."

"This is a historic victory for the Wisconsin hunter and our constitutionally protected right to hunt and manage our wildlife here in Wisconsin," said Luke Hilgemann, President of Hunter Nation. "Today's ruling solidifies the rule of law and finally provides clear direction to the Evers administration to move full speed ahead with our statutorily required wolf hunt. Any attempts by the Evers administration to overturn this ruling are a direct assault to the constitutional rights of Wisconsin hunters."

Background: The United States Fish and Wildlife Service [proposed](#) removing the gray wolf from protection under the Endangered Species Act in March 2019. On November 3, 2020, US Fish and Wildlife promulgated a [final rule](#) to delist the gray wolf effective January 4, 2021.

[Wisconsin state law](#) is clear that if the gray wolf is not protected by the Endangered Species Act, the Wisconsin DNR “shall allow the hunting and trapping of wolves.” The law further states that DNR must “establish a single annual open season for both hunting and trapping wolves that begins on the first Saturday in November of each year and ends on the last day of February of the following year.”

But the Wisconsin DNR, despite years of advance warning and months to prepare for a January 2021 delisting of the gray wolf, refused to permit the hunting and trapping of wolves in January and February of 2021.

WILL represents Hunter Nation President and CEO, Luke Hilgemann, and [Hunter Nation](#), a non-profit organization dedicated to preserving and protecting America’s hunting heritage and the right to hunt.

WILL’s lawsuit alleges DNR’s decision to forgo a gray wolf hunt until November 2021 violates state law and the Wisconsin state constitution’s guarantee of a right to hunt. Once the gray wolf was delisted on January 4, Wisconsin DNR had an obligation to comply with state law that permits the trapping and hunting of gray wolves for a season between November and February.

Judge Brantmeier issued a writ of mandamus ordering the Wisconsin DNR to hold a gray wolf hunt in February 2021 in accordance with state law. Judge Brantmeier also ordered a hearing on February 16 to update the court on DNR’s progress in following the writ of mandamus.