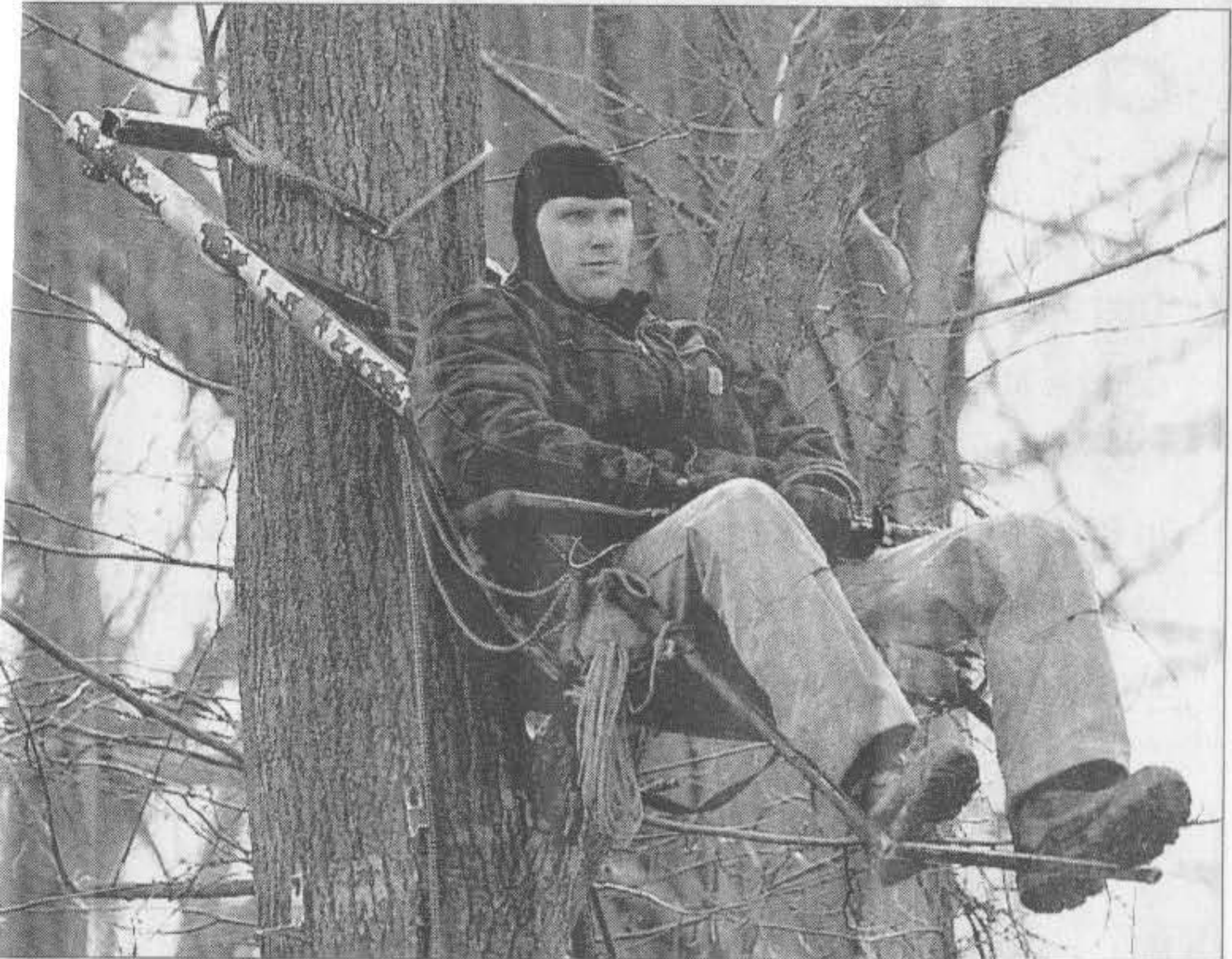


Effort to end killing of deer in Solon falls short in court



DALE OMORI | PLAIN DEALER FILE PHOTOGRAPH

Sharpshooter from White Buffalo Inc., a Connecticut-based company hired to thin the deer population in Solon, waits in a tree stand in February. An opponent of the deer-killing program unsuccessfully tried in court this week to shut at least one of the killing sites.

MICHAEL O'MALLEY
Plain Dealer Reporter

SOLON —Opponents of the city's deer-killing program took their case to court Wednesday, but the case was settled with little relief, effectively derailing their legal strategy and dashing any hope of stopping the daily sharpshooting.

A day earlier, Solon resident Katherine Doherty, financially backed by animal-welfare activists and residents opposed to the killings, had sued a neighbor whose property is one of about 50 killing sites throughout the city.

Doherty, who regularly feeds deer in her back yard, claimed in her suit that a sharpshooter killing deer from a tree stand about 500 feet from her bedroom window threatened her safety and her right to enjoy nature.

Opponents of the deer kill hoped to get the court to shut down the site, which would have persuaded other residents to sue neighbors who invite sharpshooters onto their property.

But city lawyers, acknowledg-

ing the property behind Doherty is a killing site, told Cuyahoga County Common Pleas Judge Kathleen Sutula that the three to four sharpshooters working daily throughout the city have not yet used that location.

Sarah Moore, Doherty's lawyer, said she couldn't push for a court order without actual shooting next door. She said that if the site became active, she might refile the suit.

Doherty dropped the suit after city lawyers, appearing in court Wednesday, said the city would give her notice if her neighbor's site is used.

"It's not the best result, but it's a better situation than what she had," Moore said.

Doherty, who has heard shooting in the neighborhood, said, "It's truly like living in a war zone."

Since Feb. 15, sharpshooters from a Connecticut company called White Buffalo Inc. have been killing deer daily as the animals feed on corn bait placed on public and private properties throughout the city.

Their goal is to kill 600, about

half the estimated deer population in Solon. By Wednesday they had shot 475.

City officials hired White Buffalo in response to complaints about deer eating gardens and running through traffic. Sharpshooters, who perch with high-powered rifles in trees, work between 2 p.m. and 8 p.m., killing 10 to 20 deer a day.

Robert McClelland, a city lawyer, told the judge no one has been hurt during the deer killing.

Moore had prepared to introduce an expert witness to testify about the dangers of such a program.

Olmsted Falls police Detective Alex Bakos, a trained sniper and member of a SWAT team, told a reporter outside the courtroom that Solon's program was dangerously reckless.

"This is insane," he said. "No expert could ever say shooting in a residential area is safe. There is little control. And once that bullet leaves the rifle, there's no way to get it back."

To reach this Plain Dealer reporter:
momalley@plaind.com, 216-999-4893