



WYOMING GAME AND FISH DEPARTMENT

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wgfd.wyo.gov

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Investigation Report by the Wyoming Game and Fish Department In The Death of Mr. Mark Uptain Due to a Grizzly Bear Attack on September 14, 2018 in the Bridger-Teton National Forest, Teton County, Wyoming.

January 22, 2019

Wyoming Game and Fish Department Investigative Team Members:

Brian DeBolt, Large Carnivore Conflict Coordinator, Lander, WY.

Brad Hovinga, Regional Wildlife Supervisor, Jackson, WY.

Dan Thompson, Large Carnivore Section Supervisor, Lander, WY.

Mike Boyce, Large Carnivore Biologist, Jackson, WY.

Kyle Lash, Game Warden, Jackson, WY.

Jon Stephens, Game Warden, Jackson, WY.

Brian Baker, Game Warden, Dubois, WY.

SUMMARY

Mr. Mark Uptain, a 37-year old male from Jackson, Wyoming was killed by an adult female grizzly bear and her yearling male grizzly bear offspring on Terrace Mountain in the Bridger-Teton Forest, Teton County, Wyoming on September 14, 2018. At the time of the grizzly bear attack, Uptain was a hunting guide for non-resident client archery elk hunter Mr. Corey Chubon of Florida. Chubon mortally wounded a bull elk the previous day (September 13, 2018) and both Uptain and Chubon were in the process of recovering the meat and antlers from the harvested elk when the two bears suddenly attacked without provocation at approximately 1600 hours. Uptain was carrying a canister of bear spray in a holster on his left hip and Chubon had a canister of bear spray inside his backpack which was on the ground nearby. The adult female grizzly bear attacked Uptain immediately and Chubon moved 5-10 yards to retrieve a handgun (Glock 10mm semi-automatic handgun) that belonged to Uptain, from a holster near the backpacks, but was unable to manipulate or fire the handgun. The bear then attacked Chubon who attempted to throw the handgun to Uptain, but it did not reach him. The bear stopped attacking Chubon, and re-attacked Uptain. Chubon, defenseless and free of the bear's grasp, fled the attack site on foot, uphill 300-400 yards to where their horses were tied. Chubon then rode to a high point and called 911 at approximately 1630 hours to report the grizzly bear attack. A search and rescue helicopter picked up Chubon at that location. A brief aerial search for Uptain occurred but was suspended that evening due to darkness. Uptain was found deceased at approximately 1330 hours during search efforts the following day on September 15, 2018. The investigation determined Uptain died due to the grizzly bear attack. The Wyoming Game and Fish Department (WGFD) subsequently lethally removed the adult female and yearling male grizzly bear involved in the attack.

DETAILS

This report provides a summary of the Uptain and Chubon grizzly bear attack and resulting death of Uptain based on the response and investigation conducted by WGFD. This report reconstructs the attack involving the activities of Uptain and Chubon and the grizzly bears involved as much as possible, given the information available, and does not include speculation about details not supported by evidence or the investigation.

ATTACK SITE DESCRIPTION

Terrace Mountain is a rugged mountain encompassing approximately 15 square miles located in the Bridger-Teton National Forest between the North and South Forks of the Buffalo River, approximately 44 miles northeast of Jackson, WY (Figures 1-3). The elevation ranges approximately from 7,500 ft to 10,000 ft. The area is comprised of open grassy slopes, talus slopes, rugged cliffs at the ridge tops and dense pockets of spruce-fir evergreen trees scattered throughout. Natural springs occur and have produced several ponds and small grassy meadows mostly along the north aspect of the mountain. Game trails and non-maintained horse trails used by animals and people traverse the mountain. Grizzly bears inhabit the area.

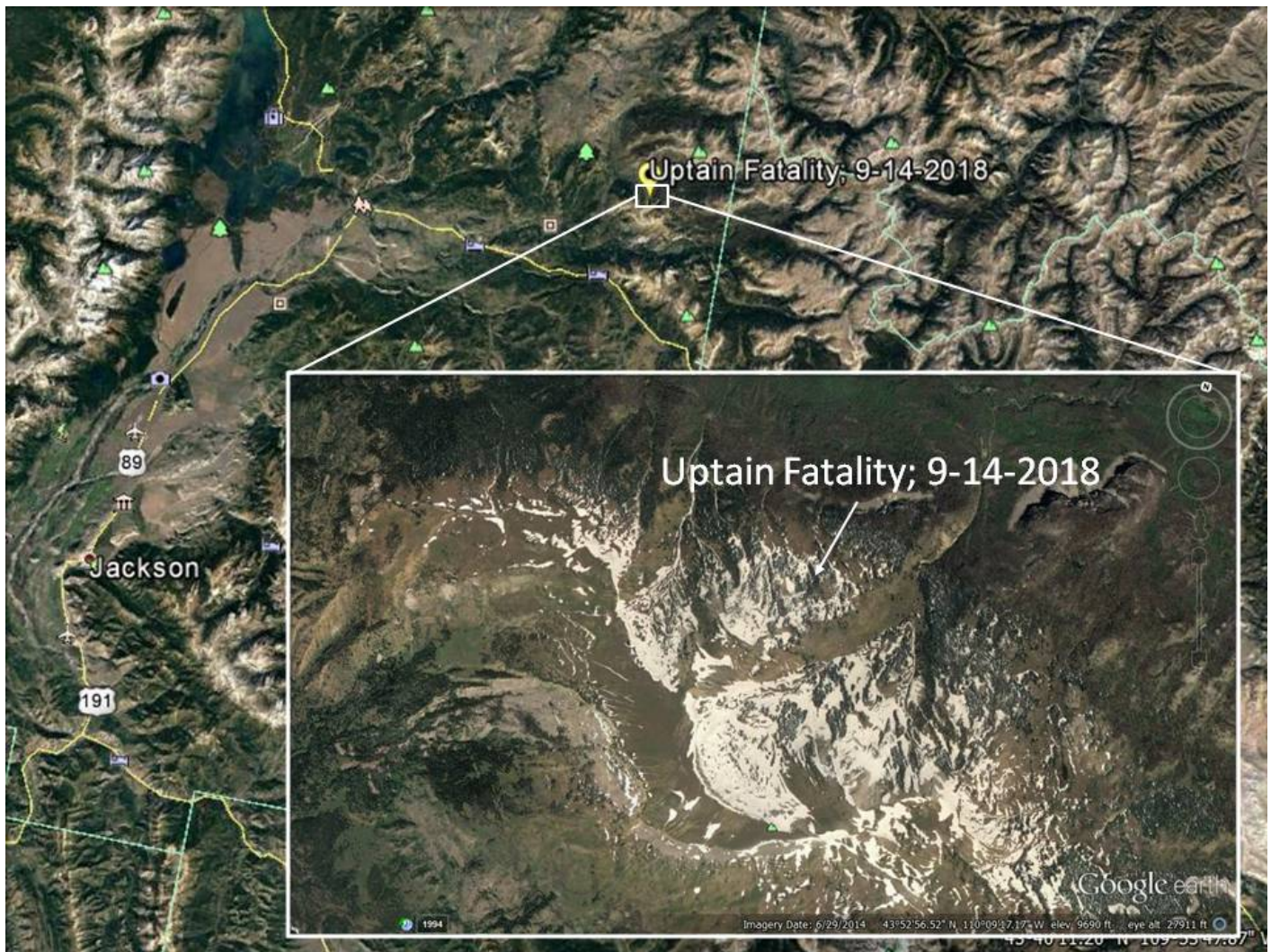


Figure 1. Google Earth™ image of Uptain fatality location in the Bridger-Teton National Forest. Universal Transverse Mercator (UTM) location of attack is 568056 East, 4859578 North, Zone 12T.

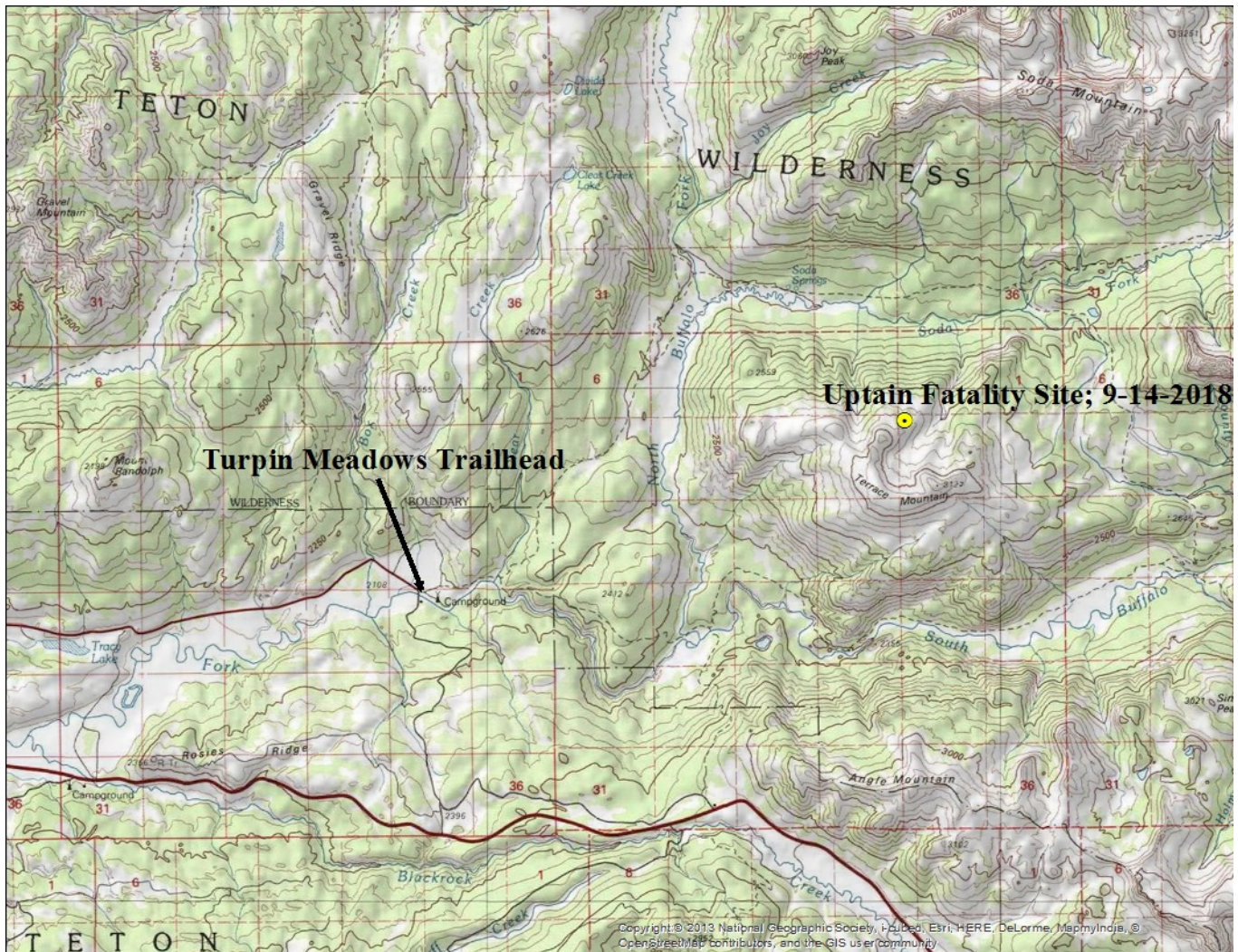


Figure 2. AllTopo™ map of Uptain Fatality location in the Bridger-Teton National Forest. Universal Transverse Mercator (UTM) location of attack is 568056 East, 4859578 North, Zone 12T.

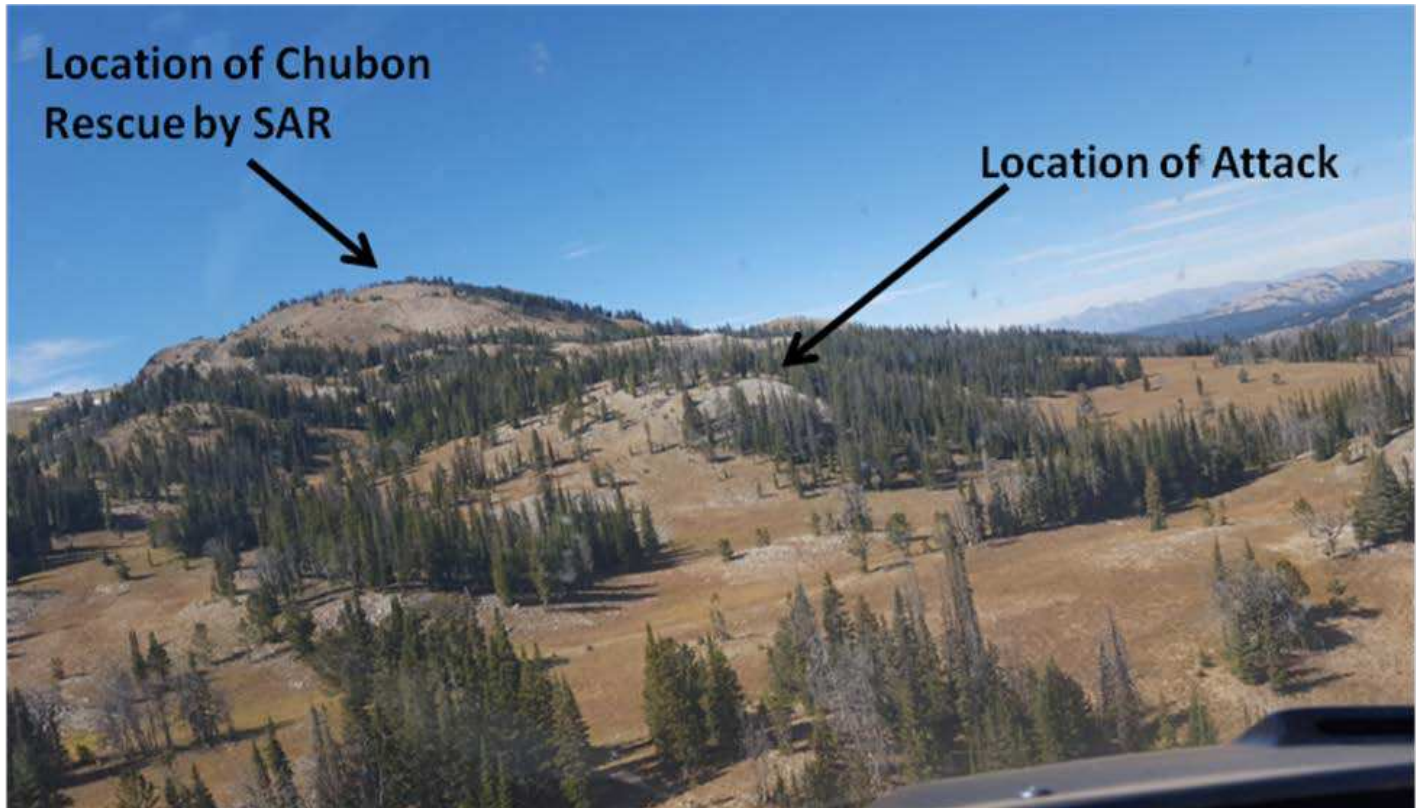


Figure 3. WGFD Aerial photograph from SAR helicopter of Uptain fatality location in the Bridger-Teton National Forest. Universal Transverse Mercator (UTM) location of attack is 568056 East, 4859578 North, Zone 12T. View is looking southwest.

ATTACK DETAILS

Interviews with Mr. Corey Chubon were conducted when he arrived at Turpin Meadows via helicopter on September 14 and subsequent telephone interviews in the weeks following the attack – See Appendix II:

Mr. Chubon reported that he was being guided by Uptain while archery elk hunting and had “made a poor shot” on a bull elk on Thursday, September 13, 2018. He reported that he and Uptain traveled from the Turpin Meadows trailhead (Appendix III photos 1-3) and located the dead elk after following a large blood trail, the next day, Friday, September 14, 2018, at approximately 1300 hours. Chubon stated the elk appeared undisturbed because it had not been feed upon, dragged, or cached. The two men were approximately 3-4 yards apart and were almost finished processing the elk for transport via horses when they heard the noise of rocks banging. Chubon reported that suddenly, two bears came charging toward them from downhill (Figure 4). Although the initial interview with Chubon reports the bears approached from uphill, Chubon stated in multiple subsequent interviews, that the bears approached from downhill. Both men began yelling as the larger of the bears attacked Uptain. Chubon reported that he ran over to retrieve a holstered 10mm semi-automatic handgun located about 5-10 yards away on top of Uptain’s backpack. Chubon reported he could not get a clear shot at the bear because it was attacking Uptain. Chubon described the second, smaller bear as staying “back a little ways” at this point of the attack. The first bear disengaged Uptain and charged Chubon, who stated he could not remember if he attempted to pull the trigger on the handgun or not. Chubon stated that he was able to side-step the bear as it grabbed his right boot with its mouth (Appendix III, photos 4-5). Chubon said he was partially

thrown off his feet to the ground as he attempted to throw the handgun to Uptain who was now again yelling at the bear, but the handgun “landed short.” The bear disengaged Chubon and again attacked Uptain. Chubon, unarmed and free from the bear, fled uphill toward the horses. His last image of Uptain was “on his feet, fighting with the bear.” Chubon made it to where the horses were tied “300 to 400 yards away”. He stated that his horse would “not leave” without the other, so he untied the second horse and rode quickly to the top of a high ridge and called 911. Chubon stated that he had earlier placed his canister of bear spray in his backpack because it “became cumbersome carrying it on the horse.” As such, Chubon did not use his bear spray during the attack.

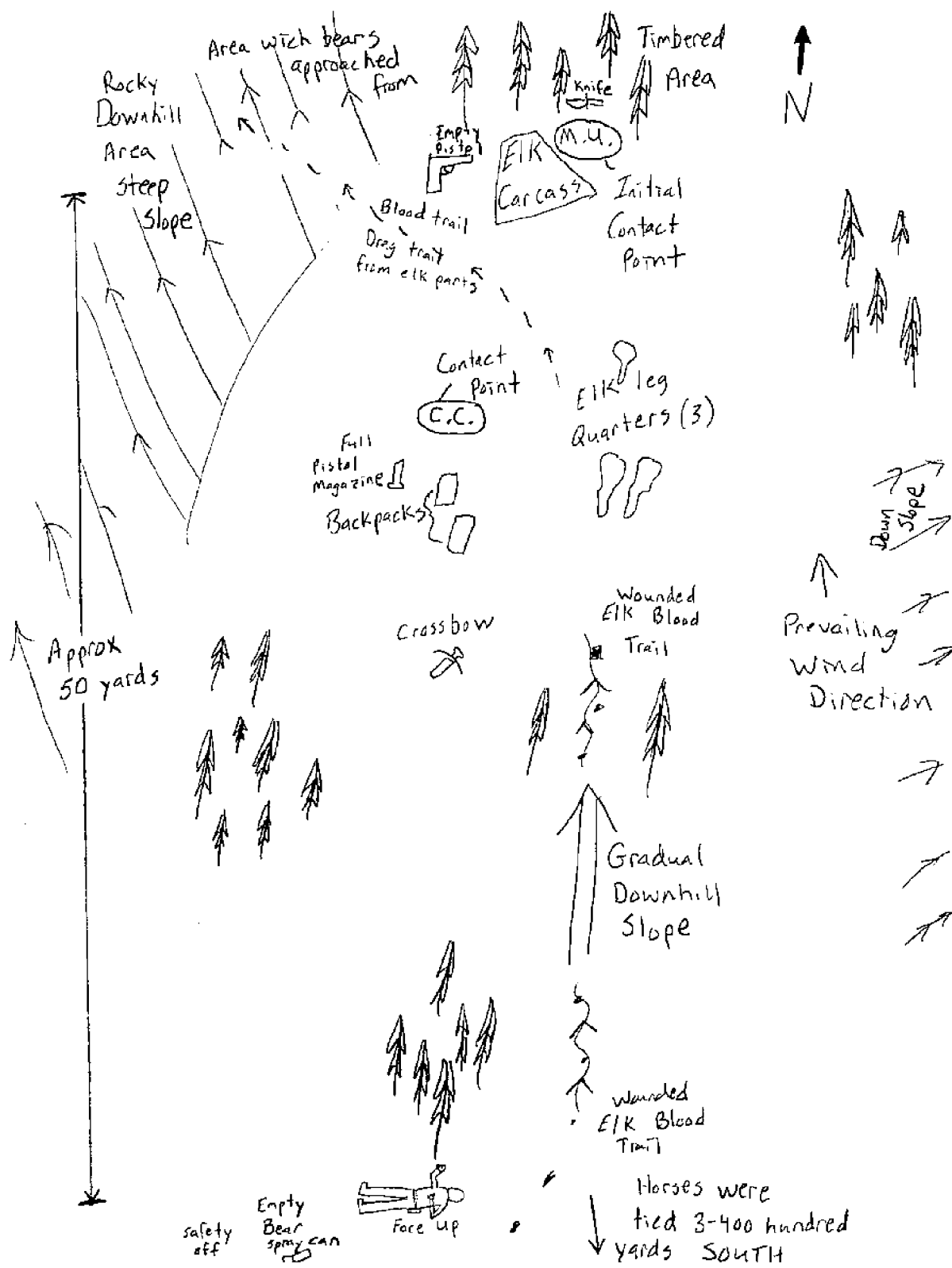


Figure 4. Sketch of the Uptain fatality incident scene.

The 911 call from Chubon was received at approximately 1630 hours by Teton County Sheriff's Office Dispatch. At approximately 1700 hours, Teton County Search and Rescue (SAR) notified WGFD of the attack. Two employees (Lash and Stephens) of the WGFD investigative team responded with SAR personnel. Additional members of the WGFD's Wildlife Human Attack Response Team (Hovinga, DeBolt, Baker, Thompson, and Boyce) were advised of the incident and prepared to respond as directed. Teton County SAR initiated a helicopter operation to look for Uptain. The SAR helicopter located and picked up Chubon at approximately 1830 hrs at the location from where he made the 911 call. The search was suspended by Incident Command due to lack of daylight. Uptain was not located that day. At approximately 1900 hours, the SAR helicopter landed at Turpin Meadows with Chubon (Appendix IV, SAR report). Chubon exited the helicopter under his own power and was escorted by SAR personnel to a nearby emergency vehicle for examination and treatment by emergency medical service (EMS) personnel. Chubon sustained the following injuries: abrasions to right arm, minor cuts/abrasions to right thumb and fourth digit, abrasion to left knee, minor puncture wound to the outside of his right ankle and swelling to the inside of his right ankle.(Appendix III, photos 4-8). Chubon refused on-site medical treatment and although cleared by EMS personnel was encouraged to have his wounds cleaned by hospital staff in Jackson. Following the medical evaluation, Chubon surrendered his clothing and boots to WGFD personnel (Stephens), who packaged the items for the purpose of obtaining forensic samples and analysis. Chubon was provided with a change of clothes and asked by WGFD personnel (Stephens) to provide details of what had happened that afternoon (Appendix II).

Search efforts for Uptain resumed the following day, Saturday September 15, 2018. WGFD personnel (Lash, Stephens, Baker, and DeBolt) accompanied SAR personnel to assist in the search and provide protection against a potential grizzly bear encounter. Uptain's body was located at approximately 1330 hours about 50 yards uphill from the elk carcass remains and attack point (Figure 4). An empty can of bear spray with the safety removed was located uphill five yards from the body (Appendix III, photos 9-10). Uptain was wearing lightweight camouflage pants with bear spray holster attached and leather boots. Uptain was found without a shirt on. Chubon reported that Uptain had removed his shirt to cool off while processing the elk. Uptain's body was positioned lying on his back with his right arm extended to his right side. His left arm was bent normally across his torso. Bite wounds on each hand, both wrists and arms, both upper thighs, and his right shoulder were observed. There was a noticeable difference in the canine spacing of several of the bites, indicating at least two different bears were involved in the attack. There was at least one severe wound consistent with a bear bite to both orbital and the frontal portions of the skull. Uptain's body had not been fed upon, nor had it been cached (Appendix III, photos 11-13). There was no evidence of a struggle or bear tracks near Uptain's body.

The 10mm semi-automatic Glock handgun was located by Teton County Sheriff's Office personnel approximately 10 yards southwest from the elk carcass. The handgun did not have a cartridge in the chamber, nor did it have the magazine inserted. The fully loaded magazine was located on the ground uphill near the backpacks (Figure 4). Teton County Sheriff's Office took custody of the handgun and magazine (Appendix IV) and also packaged the backpacks and crossbow for removal from the site.

Based upon Chubon's eye witness account, Uptain was being attacked by the larger grizzly bear at the elk carcass when he last saw him. Uptain's left boot had vertical blood streaks along the exterior leather and sole from the bleeding wounds on his thigh. There were vertical blood streaks down his neck and shoulders and into his beard from the wound on his head. This indicates he traveled upright at some point while bleeding. This

evidence coupled with the lack of drag marks, signs of a struggle, or bear tracks at his body indicates that Uptain walked from the initial point of attack under his own power before he died.

WGFD personnel (DeBolt) were given permission by the Teton County Coroner to obtain samples of bear hair from Uptain's clothing and hands before he was transported from the scene. Grizzly bear tracks indicated one adult female and one yearling offspring were present at the attack site. Both men's personal items from the scene were sent with Uptain's body to the Teton County Coroner. Based on the totality of circumstances of this attack, WGFD personnel (Lash, Stephens, Baker, and DeBolt) immediately set three non-lethal leg-hold traps at the location of the attack, using the elk carcass as bait (Appendix III, photo 14). The traps were set to target the bears involved in the fatality while reducing the chances of capturing other bear(s) that may have been in the area, but not involved in the attack.

Based on the information and evidence obtained during the attack investigation, (see Analysis of the Attack) the WGFD preemptively decided to lethally remove the target bears if captured or located at the attack scene. On Sunday, September 16, 2018, WGFD personnel (Lash, Stephens, Boyce, Baker, and Thompson) returned to the attack site to check the traps. WGFD personnel (Lash and Baker) shot and killed one adult female grizzly bear when it charged them aggressively at the attack scene. A second yearling male grizzly bear was caught alive in one of the leg-hold traps. This grizzly bear was tranquilized and examined. It was determined this bear was the yearling offspring of the adult female, and likely the second bear involved in the fatal attack of Uptain, therefore, that bear was euthanized on site by WGFD personnel. Both bears appeared to be in good physical condition with normal fat deposits and no observed physical abnormalities. Neither of the grizzly bears had any ear marks, tattoos, radio-telemetry transmitters, or personal-identification implants to indicate they had ever been previously handled by the WGFD or any other agency. Forensic evidentiary items of hair, blood, and tissue were obtained from both bears, including the heads and paws, and brought out from the attack scene. Due to the remote location, the remaining parts of the carcasses were left in the field.

Simultaneously, on September 16, 2018 WGFD personnel (Hovinga and DeBolt) were present at the Teton County Coroner's examination of Uptain's body in Jackson, WY to collect additional evidence associated with the attack. WGFD personnel obtained additional forensic samples of bear hair and saliva from Uptain's clothing and observed and photographed wound patterns and locations on his body. Forensic samples were collected from Uptain and Chubon's backpacks, and other personal gear. After receiving the suspect bear's heads from the field personnel, tooth spacing and bite patterns from the suspect bears were matched to bite patterns on Uptain's body, further indicating that both the adult female and the yearling were involved in the fatal attack. (Appendix III, photos 15-18). The head of the female bear had the noticeable odor of bear spray when examined. This is relevant in that an empty can of bear spray was found near Uptain's body, indicating Uptain had used bear spray sometime prior to his death. No WGFD personnel had used bear spray during any phase of the SAR operation or investigation. The forensic and biological samples were sent to the WGFD Forensic Laboratory in Laramie, WY for comparative deoxyribonucleic acid (DNA) analysis.

On Wednesday September 19, 2018 WGFD Forensic Laboratory personnel matched DNA from grizzly bear hair obtained from Uptain's clothing with biological samples from the yearling male grizzly bear and saliva from Uptain's clothing was matched with biological samples from the adult female grizzly bear (Appendix I). These results provided confirming evidence that the two grizzly bears lethally removed by WGFD were responsible for the fatal attack on Uptain.

ANALYSIS OF THE ATTACK

Grizzly bears have attacked people in rare predation events when they perceive humans as food. However, this incident has no evidence to suggest that predation was the motivation for this attack. Grizzly bears typically attack people for one of three other defensive reasons, all of which are a response to a perceived threat to the bear. These are characterized as defensive-aggressive attacks. Grizzly bears may perceive humans as a threat to either 1. food; 2. offspring; 3. personal space, or a combination of the three. Grizzly bears may act aggressively to any of these real or perceived threats. None of the three typical defensive-aggressive situations apply to this incident. This attack cannot be described as either protective or defensive.

Firstly, it cannot be characterized as food guarding because Chubon stated the bears had not discovered the elk carcass before they attacked, and therefore, had not claimed it and been acting to defend it. Secondly, the bears approached the men, not vice-versa, and therefore, the typical behavior of an adult female defending its offspring or itself by having their personal space invaded by a threat does not apply in this situation. The grizzly bears that attacked Uptain and Chubon approached aggressively without typical defensive or protective causation. The evidence suggests that the desire of the bears to feed on the elk carcass was the motivating factor in the incident. However, the aggressive nature of the attack was unprovoked by the two men and cannot be characterized as defensive. Bears are adapted to learn how to exploit available food resources. Bears remember how, when, and where to obtain foods, especially when the benefit is high caloric, protein rich meat. Although bears actively seek out ungulate carcasses and offal throughout the course of the year, the overt act of attacking humans to obtain a carcass is rare in the Greater Yellowstone Ecosystem. Based on the aggressive nature of the attack, and the investigation, including evidence collection and analysis, the decision to lethally remove the grizzly bears involved in the fatal attack was made for public safety.

USE OF FIREARM AND BEAR SPRAY

The Glock 10mm handgun present in the incident was not carried as to be quickly accessible by either Uptain or Chubon. Rather, it was in a black nylon shoulder holster on top of the backpacks approximately 5-10 yards from the two men. Chubon stated he was unfamiliar with the functionality of the Glock 10mm handgun that belonged to Uptain. Chubon stated he could not fire the handgun initially because of the bears close proximity to Uptain, fearing he would unintentionally shoot Uptain. Subsequently, when the adult female attacked Chubon, he inadvertently ejected the loaded magazine while trying to disengage the safety before attempting to throw the handgun to Uptain. The gun was not fired as a defense against the attacking grizzly bears.

Chubon did not carry his bear spray where it was quickly accessible, it was in his backpack, and therefore he did not have the opportunity to use it. Uptain was carrying a canister of bear spray on his left hip. He did not deploy the spray at the time of the initial attack. The adult female grizzly had bear spray residue on her body, and an empty can of bear spray was located near Uptain's body. Therefore, Uptain likely did spray the adult female grizzly at some point during the attack as there was dried blood on the bear spray canister. Evidence suggests that after the attack was stopped by the bear spray, Uptain traveled under his own power about 50 yards uphill from the attack site to where he succumbed to his injuries. There were no bear tracks observed at his body. Impressions left in the dirt indicated Uptain had fallen, dropped his bear spray, and rolled to the base of the tree where he died. Evidence suggests that when Uptain deployed the bear spray, it stopped the aggression, giving him time to escape; however, this appears to be after the fatal injuries were inflicted. This analysis is also supported by the Teton County Coroner's verbal description of Uptain's death as "rapid but not instant" and the report stating "Uptain died very rapidly after the initial grizzly bear attack" (Appendix IV).

CONCLUSIONS

Based on the investigation by the WGFD, Teton County Sheriff's Office and Teton County Coroner's Office, that included evidence collection and analysis at the scene and forensics lab, coroner's examination and report, and interviews with and statements by Mr. Chubon, Mr. Uptain died as a result of a grizzly bear attack that involved an adult female and a male yearling grizzly bear. The behavior of the bears involved in the attack cannot be considered a defensive-aggressive attack to protect the grizzly bears' food, young, or personal space. The attack also cannot be considered a predatory attack where the bears viewed Mr. Uptain and Mr. Chubon as potential prey. The grizzly bears likely attacked the two men in an attempt to displace them from the elk carcass. Grizzly bears are extremely opportunistic and adaptable and their behavior can be unpredictable. Based on the investigation and associated evidence and to ensure public safety, the two grizzly bears confirmed to be responsible for the attack were lethally removed.

APPENDIX I. WGFD FORENSIC LABORATORY REPORT



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

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Wyoming Game and Fish Wildlife Forensic and Fish Health Laboratory
1212 South Adams Street
Laramie, WY 82070
Phone: (307) 721-1921

LABORATORY EXAMINATION REPORT

LAB NO.

18-44-W-CAF

DATE:

September 20, 2018

SUBMITTER: Brian DeBolt
Large Carnivore Conflict Coordinator

EXAMINER: Tasha Bauman

AGENCY:
Wyoming Game & Fish Dept.
260 Buena Vista
Lander, WY 82520

CASE NO.: N/A
PURPOSE: Microsatellite matching of the
submitted items.

EVIDENCE RECEIVED:

Kim Frazier, Laboratory Director, received the following items from Brad Hovinga, Regional Wildlife Supervisor, on September 17, 2018:

- Item #1: "Hair from victim's hands"
- Item #2: "Hair from body"
- Item #3: "Hair from body bag"
- Item #4: "Hair from white body bag"
- Item #5: "Hair from Alps Outdoor back pack"
- Item #6: "Victims clothing"
 - Items #6A-6B- hair
 - Items #6C-6E- saliva
- Item #7: "Boots from Corey Chubon"
- Item #8: "Clothes from Corey Chubon"
- Item #9: "Adult ♀ GB – head & 4 paws"
- Item #10: "Yearling ♂ GB – head & 4 paws"

EXAMINATIONS CONDUCTED:

The submitting officer stipulated items #9 and 10 originated from grizzly bears, with item #9 originating from an adult female and item #10 originating from a yearling male. Extracted DNA was used in the polymerase chain reaction (PCR) for microsatellite matching. Items #1, 2 and 5 were combined and items #6C-6E were combined to create a complete profile.

"Conserving Wildlife - Serving People"

RESULTS:

- 1) DNA analysis of items #6C-6E and 9 resulted in genotype A.
- 2) Based on a local database of grizzly bears tested, the likelihood that another grizzly bear, chosen randomly from the same population, has the same DNA profile as the DNA profile obtained from the evidence (genotype A) is less than one in 185 thousand.
- 3) DNA analysis of items #1, 2, 5 and 10 resulted in genotype B.
- 4) Based on a local database of grizzly bears tested, the likelihood that another grizzly bear, chosen randomly from the same population, has the same DNA profile as the DNA profile obtained from the evidence (genotype B) is less than one in 1.7 thousand.
- 5) DNA analysis of items #3, 4, 6A, 6B, 7 and 8 was non-reactive.

CONCLUSIONS:

- 1) Items #6C-6E and 9 resulted in identical genotypes (genotype A); indicating the items originated from the same female grizzly bear.
- 2) Items #1, 2, 5 and 10 resulted in identical genotypes (genotype B); indicating the items originated from the same male grizzly bear.
- 3) Items #3, 4, 6A, 6B, 7 and 8 were non-reactive for DNA analysis.
- 4) The submitted items represent a minimum of two grizzly bears: one female grizzly bear and one male grizzly bear.

DISPOSITION OF SAMPLES:

The items were retained in the custody of the examiner.

APPENDIX II. Notes of Initial Interview and Contact with Mr. Corey Chubon:

During the early evening hours of 09/14/2018, I (Game Warden Jon Stephens) received notification of a suspected bear attack on or near the Terrace Mountain area in the Teton Wilderness. I responded to Turpin Meadows where I met other emergency responders who informed me the victim of the alleged bear attack was being flown out by a search and rescue (SAR) helicopter.

At approximately 1900 hours the SAR helicopter landed at Turpin Meadows with the victim, Mr. Corey Chubon. Mr. Chubon exited the helicopter under his own power and was escorted by SAR personnel to a nearby emergency vehicle for examination and treatment by emergency medical service (EMS) personnel. Mr. Chubon sustained the following injuries: Scratch marks to right arm, minor cuts/scratches to right thumb and pinky, scrape to left knee, minor puncture wound to outside right ankle and swelling to inside right ankle.

Mr. Chubon refused on-site medical treatment and although cleared by EMS personnel was strongly encouraged to have his wounds cleaned by hospital staff in Jackson. Following the medical evaluation, I asked Mr. Chubon if I could collect his clothing and boots for the purpose of sampling to which he agreed. I provided Mr. Chubon with a change of clothes then asked for details of what had happened that afternoon.

Mr. Chubon advised he had been archery elk hunting with professional guide Mr. Mark Uptain from Martin Outfitters. Mr. Chubon stated he arrowed a bull elk the evening before (9/13) toward the top of Terrace Mountain but neither he nor Mr. Uptain were able to locate the elk so the two decided to leave and return the following morning.

The next morning (09/14), Mr. Chubon advised he and Mr. Uptain departed on horseback from the Turpin Meadows trailhead at approximately 0800 hours. Mr. Chubon figured they reached the top of Terrace Mountain around 1200 hours where he and Mr. Uptain tied up the horses, returned to the approximate location of where the elk had been wounded and resumed looking. At approximately 1300 hours Mr. Chubon stated he and Mr. Uptain located the bull elk dead in a patch of timber.

As the two approached the kill site, Mr. Chubon stated the elk appeared undisturbed in that it had not been feed upon, dragged, cached, etc. Mr. Chubon stated he and Mr. Uptain set their gear down about 5 yards away from the elk and began to process the carcass. After quartering the elk, Mr. Chubon stated he and Mr. Uptain were working on removing the elk's head when they heard the sound of rocks being disturbed above them. Mr. Chubon stated he looked up and observed two grizzly bears running full speed directly toward them. Mr. Chubon stated Mr. Uptain began waving his arms and yelling at the bears moments before being attacked. Mr. Chubon advised the larger of the two bears was the aggressor and doing the attacking while the other smaller bear was just moving around in the background.

Seeing Mr. Uptain getting attacked by one of the bears, Mr. Chubon stated he retrieved Mr. Uptain's 10mm pistol from the nearby pile of gear, approached Uptain but was unable to safely shoot without possibly hitting Uptain. Mr. Chubon stated the bear attacking Mr. Uptain came after him and as it did Mr. Chubon stated he tossed the pistol toward Uptain. Mr. Chubon stated the bear began attacking him but explained he was somehow able to get free. Mr. Chubon stated the bear again returned to attacking Mr. Uptain at which time Mr. Chubon

stated he ran as fast as he could back to the top of Terrace Mountain toward the horses where he got cell service and called 911.

Mr. Chubon stated he remained on top of Terrace Mountain in a clearing for over an hour waiting for help to arrive. Mr. Chubon stated it was very windy and that he never heard any yells, gunshots, etc. after leaving the attack site.

END of NOTES

APPENDIX III. SELECT PHOTOS



Photo 1: Bear warning signs at Turpin Meadows trailhead on 9-15-2018.



Photo 2: Bear warning signs at Turpin Meadows trailhead on 9-15-2018.

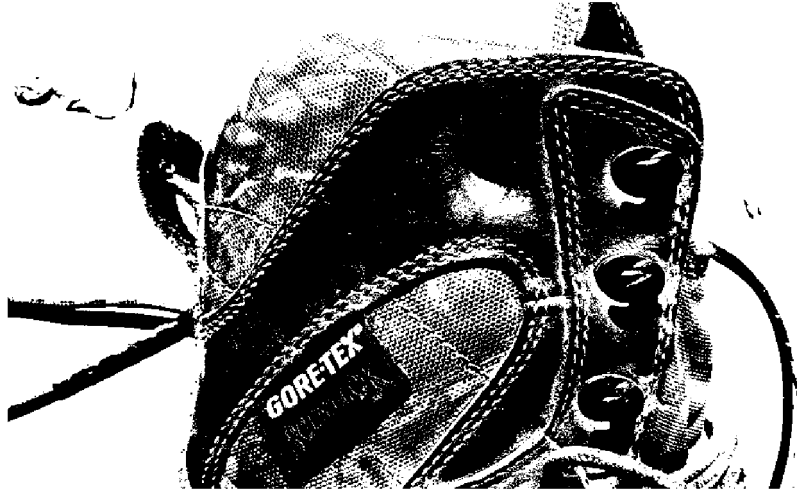


Photo 5: Mr. Chubon's right boot, taken at WGFD Regional Office, Lander, WY 9-21-2018.

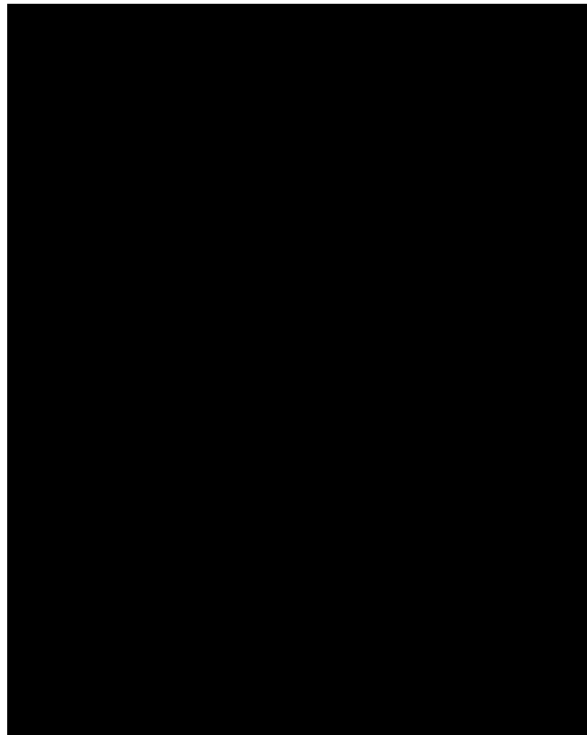


Photo 6: Mr. Chubon's right arm, taken by WGFD at Turpin Meadows Search and Rescue (SAR) staging area 9-14-2018.

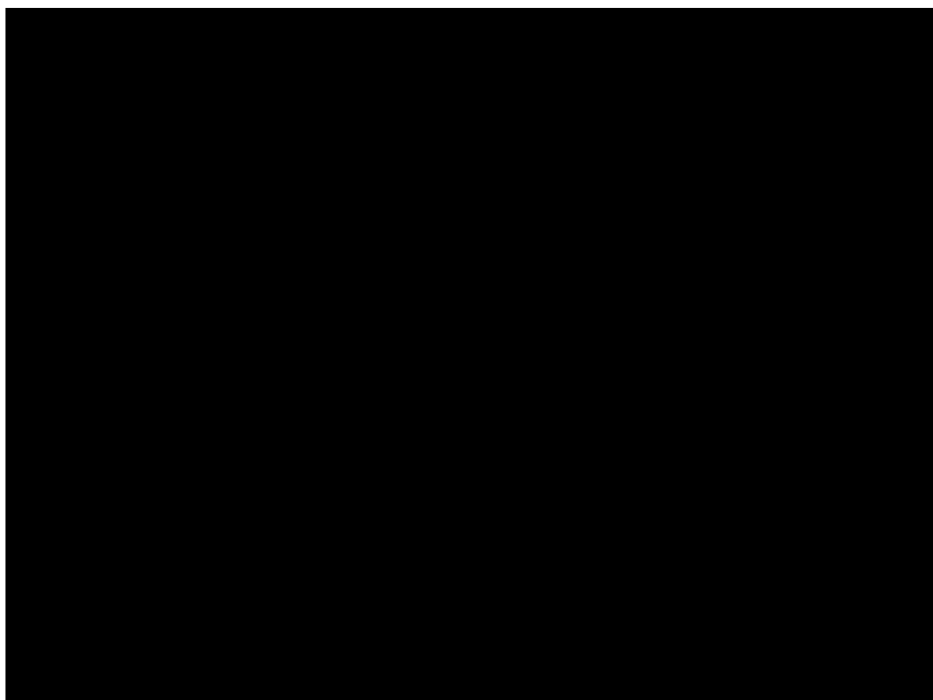


Photo 7: Mr. Chubon's right fourth digit, taken by WGFD at Turpin Meadows Search and Rescue (SAR) staging area 9-14-2018.

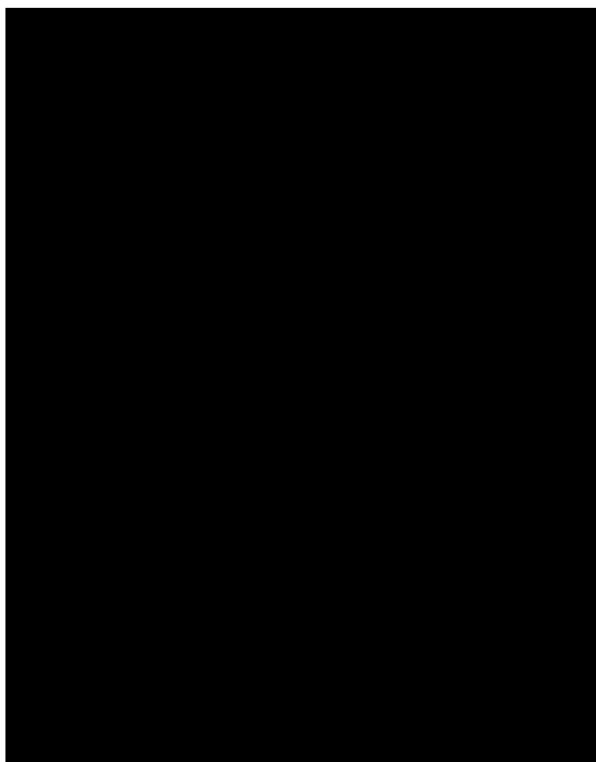


Photo 8: Mr. Chubon's left knee, taken by WGFD at Turpin Meadows Search and Rescue (SAR) staging area 9-14-2018.



Photo 9: Empty can of bear spray in the foreground five yards uphill from Uptain's body on 9-15-2018.



Photo 10: Empty can of bear spray located on the ground five yards uphill from Uptain's body on 9-15-2018.



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Photo14: Photo of traps set on elk carcass at Terrace Mountain attack site 9-15-2018.

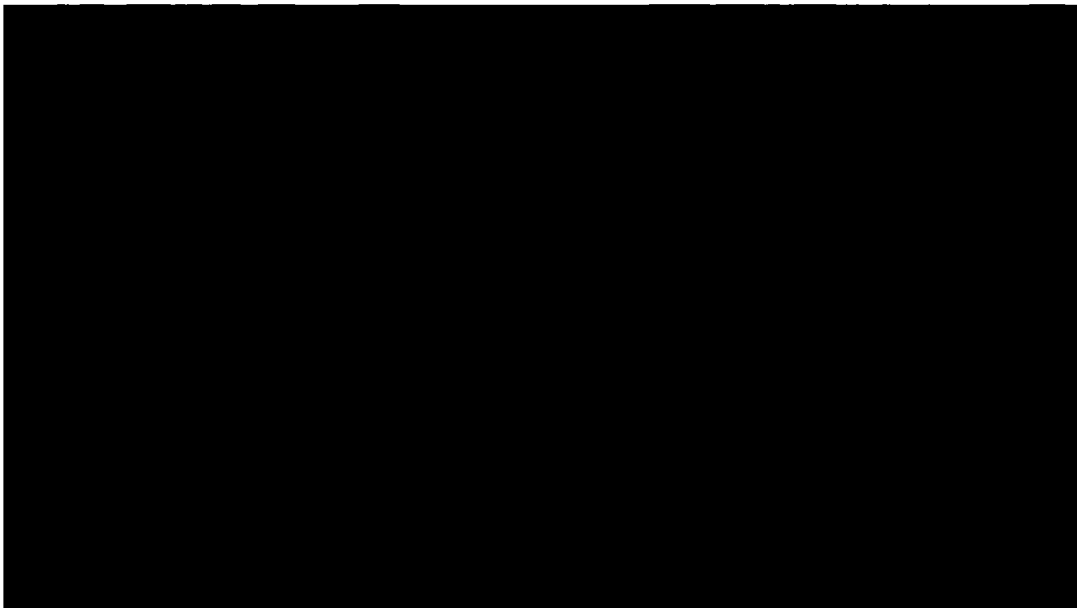


Photo 15: Photo of Terrace Mountain male yearling grizzly bear canine spacing and incisor pattern 9-17-2018.



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APPENDIX IV. TETON COUNTY SHERIFFS OFFICE REPORTS



Teton County Sheriff's Office Jim Whalen, Sheriff

P.O. Box 1985 130 South King St. Jackson, Wyoming 83301 307 733-4052 FAX 307 732-1131 www.tetonsheriff.org

Case SO18090023 - UNAPPROVED DRAFT

Printed on October 6, 2018

Status Pending
Report Type SOPatrol
Primary Officer Dave Hodges
Investigator None
Records Technician
Reported At 09/14/18 16:30
Incident Date 09/14/18 16:30
Incident Code DEATH : Death
Location Teton County

Disposition Closed - Resolved
Disposition Date/Time 10/01/18 15:03

Asst Officers

2212 - Carr, Matt; 2208 - Hooper, Chett; 2209 - Stanyon, Todd

Case Comments

Hunting guide mauled to death by bear.

Offense Information

Offense CORONERS CASE: UNATTENDED DEATH
Statute 7-4-201 b
UCR Code
Counts 1
Include In NIBRS Yes
Completed Yes
Bias Motivation None (no bias)
Location Field/Woods
Entry Forced No

Witness

CHUBON, COREY

Male, DOB [REDACTED] /82

7-4-201 b - CORONERS CASE: UNATTENDED DEATH

Other

ZUERCHER

Case SO180900023

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UPTAIN, MARK T

Male, DOB [REDACTED] 81



Deceased: 7-4-201 b - CORONERS CASE:
UNATTENDED DEATH



Teton County Sheriff's Office
Jim Whalen, Sheriff

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Primary Narrative

Printed on October 6, 2018

Primary Report By Dave Hodges, 09/29/18 15:40

Case #SO180900023

Typed By Dave Hodges

(SOURCE OF ACTIVITY)

On Friday, September 14, 2018, at approximately 1700 hours, TCSO Dispatch called me directly and informed me of a potential death, but not yet confirmed. I was told a hunting guide had been mauled by a grizzly bear and had died from the attack. However, the victim was in a remote location of the Teton Wilderness and the death could not be verified.

Specifically, the victim, later identified as Mark Thomas Uptain, was somewhere isolated on Terrace Mountain north of Turpin Meadows trailhead. The witness, Corey Chubon, last saw Uptain bleeding severely and being dragged by the grizzly bear. Chubon could hear Uptain scream as the bear tore into Uptain. Chubon had also been attacked by the bear, but was fortunate to have escaped. Free from the grasp of the bear, he fled from the attack to seek help. That was the last he saw of Uptain.

A helicopter was directed to the area. Before darkness set in on Friday, September 14, 2018, the helicopter and crew successfully rescued Chubon (surviving victim and primary witness) from near the summit of Terrace Mountain. Unfortunately, daylight had waned at this point and the helicopter could not return in an attempt to locate Uptain.

Chubon told rescuers his hunting guide, Mark Uptain, most likely did not survive the grizzly bear attack. Chubon and the hunting guide had been attacked by two grizzly bears as they were retrieving a dead elk. The hunting party had killed an elk the day before and rode back on horses to Terrace Mountain to pack out the elk.

On Saturday, September 15, 2018, I was dispatched to the SAR (Search and Rescue) command post to assist in the investigation. I arrived on scene at 0830 hours.

(SEARCH AND RESCUE)

A large scale search and rescue operation was launched. Eventually, at approximately 1330 hours, on Saturday, September 15, 2018, the body of the missing hunting guide was located. He had been confirmed dead.

(PRONOUNCEMENT OF DEATH)

TCSO Under Sheriff Matt Carr was a member of the first search team in the field. When Uptain's body was discovered by the search party, he pronounced the death of Mark Thomas Uptain. The decedent was discovered on Terrace Mountain (Teton Wilderness area) about five miles north of the Turpin Meadows trail head and command post. TCSO Under Sheriff Matt Carr later told me death was obvious due to the significant trauma to the body. Death was pronounced at 1330 hours, Saturday, September 15, 2018.

(BODY RECEIVED)

Due to this isolated area of the Teton Wilderness, the body had to be flown out by helicopter. At approximately 1455 hours, on Saturday, September, 15, 2018, I received the body of Mark Uptain at the SAR command post at Turpin Meadows trail head.

(PRELIMINARY EXAMINATION)

After receiving the body, and before departing the SAR command post, I did a quick preliminary examination of the decedent. I unzipped the body bag and observed a male body thickly bloodied from head to toe. The blood was so thick on his face it was like the victim was wearing a black mask. The victim's pants were also thick with dried, black blood. There appeared to be severe head trauma to the forehead (orbital region of the skull) and to the crown of the scalp. Both right and left thighs had deep, ripping wounds with significant muscle and tissue exposed.

(IDENTIFICATION OF DECEDENT)

The victim's brother was at the command post when I received the body from SAR. Dan Uptain insisted on viewing the body. When it became appropriate, I accompanied Dan Uptain to the body bag and then opened it. He identified the victim in the body bag as Mark Uptain, his brother.

(NEXT OF KIN NOTIFICATION)

Terry Romanowski was the TCSO SAR victim liaison. She had been in contact with Uptain's wife throughout the SAR mission. Sarah Uptain was in Jackson with family and friends and another TCSO SAR liaison. Romanowski notified the next of kin, Sarah Uptain, at approximately 1415 hours of the confirmed death of her husband, Mark Uptain.

(POST MORTEM EXAMINATION)

On Sunday, September 16, 2018, at approximately 0900 hours, I conducted a post mortem examination of the body at the Teton County Morgue. Also present for the post mortem examination was Brian Debolt, Wyoming Game and Fish Department's predator investigator.

The body was photographed. Once the body was cleaned, the body was photographed again.

There was substantial traumatic wounding to the body. The chief injuries were to both the left and right thighs; the right thigh was the most impacted by deep tearing and ripping wounds. However, both thighs presented similar ripping wounds and both thighs suffered considerable torn muscle and tissue. Both upper thighs endured massive blood loss.

The forehead between the bridge of the nose and both orbital sockets were traumatized by a crushing wound. The bones and cartilage in this region were exposed. There was major blood loss from the blunt force trauma injury.

Almost the entire scalp from the hair line on the forehead to the nape of the neck had been sheared from the skull. The skull, however, was intact in the region of the scalping wound.

At the base of the neck on the back side, there two (2) more ripping wounds were located.

The right arm of the decedent presented approximately ten (10) puncture wounds. The wounds were defensive in nature. Another words, the victim held his arms up to protect his chest and face. There was a deep ripping wound on the palm side of the right wrist near the hand.

There was a ripping wound to the lower left quadrant of the abdomen too.

All told: There were approximately 38 puncture wounds over the entire body of various sizes and shapes.

Approximately 14 ripping or tearing wounds were located on the body, again of various lengths and widths.

All injuries were consistent with the bear attack, especially the primary mechanism of injury: canine teeth of a bear and the claws of a bear. Acute and dramatic blood loss was a critical factor in death.

Both arms of the body were in full degree of rigor; livor mortis was present, and fixed, on the back and buttocks of the body.

No bones appeared to have been fractured.

(NO AUTOPSY)

No autopsy procedure was conducted.

(EVIDENCE)

I downloaded digital photos taken at the Teton County Morgue of the victim into the case file.

(SUMMARY OF TIME AND DATE OF DEATH)

It was clear from the evidence: massive trauma to the body with conspiring blood loss; the existence of fly eggs on the body; full rigor developed in both arms; and coupled with the eyewitness statement, Uptain died very rapidly after the initial grizzly bear attack. The 911 call to TCSO Dispatch was on Friday, September 14, 2018, at 1630 hours. The witness told TCSO Dispatch during the first 911 call he thought the "guide is dead."

This appears to be conclusive evidence that Uptain died on Friday, September 14, 2018, sometime prior to 1630 hours. However, the death could not be confirmed at the time.

Thus, Uptain was officially pronounced dead when he was eventually located by the search teams at 1330 hours, Saturday, September 15, 2018.



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Supplemental Narrative

Printed on: 09/18/2018

Supplemental Report By Jessica King, 09/17/18 10:32

SAR INFO

Case #SO180900023

Typed By Jessica King

SEARCH & RESCUE

On Friday 9/14/18 at about 16:34 the TCSO SAR Board received a page for a bear attack at 43.878096, -110.160767. Per the page, the guide was dead and the reporting party was left stranded. The Board held a conference call to discuss. Dispatch reported that the reporting party, a hunter on a guided trip, and his guide were attacked by two bears while quartering the elk they had arrowed the day prior. The RP stated he thought his guide was dead but was not 100% certain. When he last saw his guide, one of the bears was attacking him. The RP had sustained some injuries from the bear. The RP then climbed to the top of a mountain to get cell service to call 911. He estimated he was about a mile from where the attack had occurred. The RP's guide worked for Martin Outfitters and they were staying at Double Diamond Ranch near Turpin Meadows.

The Board decided to page the team to respond to the hangar for a bear attack. Comms were on SAR Direct to start. Cody Lockhart was IC. The team received the page at about 16:42.

Meanwhile, Tim Ciocarlan called the RP to get more information about his exact location and his and the guide's injuries. Ciocarlan determined the RP was on top of Terrace Mountain in a big flat meadow, which is a good location to land a helicopter. The RP could not recall which direction he came from, but he last saw his guide near the elk they were quartering.

IC asked Dispatch to request the interagency helicopter. The helicopter was on a fire in Big Piney and GTNP would work to call it back to assist with the rescue. Tip Top SAR's helicopter was requested, however it was on a short haul rescue and not available. Air Idaho HEMS was not requested because it is not the right aircraft or personnel to send into grizzly country.

Shortly after the team page, the SAR team arrived at the hangar and began preparing for a helicopter and ground-based rescue. IC assigned Jen Reddy, Phillip Fox, and a WY Game & Fish warden, Kyle Lasche, to the helicopter. The Interagency helicopter was diverted from the fire in Big Piney to the SAR hangar. At about 18:08 the helicopter departed the hangar en route for the RP's location.

IC also send a ground-based team and Forward Ops to the Turpin Meadow area. The ground-based team would stand-by at Forward Ops until IC directed them otherwise. Forward Ops would relay comms and establish and LZ. Forward Ops and the ground team arrived at Turpin Meadows at about 18:32.

At about 18:14 IC asked Jackson Dispatch to send an ambulance to Forward Ops at Turpin Meadows.

The helicopter team flew directly to the RP's coordinates, landed, and helped him into the helicopter. From there, the helicopter team searched for the guide. The helicopter team spotted the elk carcass and backpacks but could not find the guide. The helicopter needed to refuel and flew back to Forward Ops. Daylight ran out and IC suspended the mission until the following day. All teams returned to the hangar and then headed home at about 22:30.

On Saturday 9/15/18 at about 04:00 Jess King took over as IC and made an operations plan for the day. Comms would be on BTNF Lava and ENET Rosies Ridge for command, Mutual Aid for air to ground, Vtac14 for tactical, and Vmed28 for HEMS air to ground. KC Bess was Operations Chief, Anthony Stevens was Logistics Chief, Phillip Fox was Planning Chief, Terri Romanowski was Family Liaison, Mike Estes was Safety Officer, Billy Kirk was PIO, Jan Reddy was Scribe, Robb Sgroi was Radio Comms Unit Leader, Dr AJ Wheeler was Medical Unit Leader, Eric Helgoth was LZ Manager. ICP and Staging were at Turpin Meadows. The objectives for the day were (1) fly teams into the elk carcass (the last seen point) to grid search, (2) air search from the LSP, (3) record GPS tracks of all searchers, and (4) plan operational period 3.

The SAR team, TCSO deputies, and WY Game & Fish personnel arrived at the hangar at about 06:30. The plan was for Tip Top SAR to fly their helicopter to the TCSAR hangar and arrive at about 07:00. The first team into the field would look for the hunting guide. The assumption was he was still alive. For safety, IC sent TCSO deputies and Game & Fish wardens with long guns into the field with SAR members. The first helicopter team departed the hangar at about 08:07. Ground teams and command staff departed the hangar to stage at Turpin Meadows at about 07:15.

The helicopter landed near the LSP and dropped off the first helicopter team (Matt Carr, Kyle Lashe, Jon Stevens) to begin searching. The helicopter returned to ICP and picked up Heli Team 2 and flew them into the LSP. At about 09:47 the helicopter flew Heli Team 3 into the field to set up the SAR portable repeater. Due to technical issues, the repeater did not work. Heli Team 3 was rerouted to the LSP to help search. All teams on the ground were to have two deputies/wardens with guns to each SAR member.

At about 10:22 IC asked dispatch to request dog teams to assist with the search (live search and cadaver).

At about 10:26 IC gave SAR radios and headlamps to family and friends who wanted to go into the field and help search for the guide. The friends and family teams headed up toward Sofa Fork Meadows on foot/horse. Outfitters also offered to help search and they headed in on horses.

At about 12:07 IC switched all command comms to BTNF Gravel which worked better than Lava. Rosies Ridge still worked well for some teams and some locations.

At about 12:20 all teams in the field began an organized grid search to locate clues and hopefully find the guide. The teams searched in a circular pattern working outward from the LSP. At about 13:15 they located the guide deceased just uphill from the LSP at 43d 53.1470' -110d 9.0738'.

IC transitioned the search into a recovery operation. Tip Top SAR's helicopter was configured for a longline operation. The helicopter flew in the G&F investigations kit & bear traps. At about 14:38 the helicopter longlined the victim to ICP where the coroner was waiting. IC stood down the dog teams and requested all ground teams (friends & family & outfitters) return to ICP. The helicopter began shuttling SAR/TCSO/G&F teams out of the field and back to ICP. IC requested the family liaison contact the family before releasing any information to the media. Command staff at ICP held a moment of silence for the victim.

The fuel truck headed to the Jackson airport to get more fuel. Due to holdups at the airport, refueling the helicopter was delayed, and teams in the field had to wait a long time to be shuttled back to ICP. At about 17:16 all teams were back at ICP. The group cleaned up and debriefed the mission. By 18:52 all units were back at the hangar, cleaned up, and headed home.



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Supplemental Name: _____

File # 301000000 2018

Supplemental Report By Todd Stanyon, 09/17/18 12:49

Firearm Examination

Case #SO180900023

Typed By Todd Stanyon

On Monday September 17, 2018 I received a Glock Model 20 10mm handgun from Detective Dave Hodges. The gun had been recovered from the scene of the bear mauling death by Lt. Matt Carr. I was told the gun had been recovered in battery (slide forward), empty chamber and the magazine ejected.

I have been a Glock certified Armorer since 1999. I am currently certified as a "Glock Advanced Armorer".

I received the gun in a black nylon "Uncle Mike's" brand shoulder holster.

I photographed the gun and conducted a complete inspection. All components of the firearm appeared correct and functional. There was a small drop/smear of what appears to be blood on the right side frame of the gun near the muzzle. The gun was in a "well carried" condition with dirt and debris on and within the firearm. The gun passed all function checks. I did NOT test fire the gun.

Also included with the gun was a Glock 10mm magazine with 15 rounds capacity. The magazine did contain 15 rounds of 10mm ammo. The ammo was all head-stamped, "F C 10MM AUTO". The bullets were flat nosed full metal jacketed rounds.

After inspecting the firearm, I packaged it and the holster and placed them into the property room.



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Supplemental Narrative

Printed on October 5, 2018

Supplemental Report By Chett Hooper, 09/17/18 13:02

Case #SO180900023

Typed By Chett Hooper

(SOURCE OF ACTIVITY)

On Saturday, September 15, 2018, at approximately 1:30 pm, I was assisting the Teton County Search and Rescue Team in locating Mark Uptain.

(SCENE DESCRIPTION)

I located the remains of Mark Uptain approximately 50 yards (150 feet) uphill from an elk carcass. Uptain was laying on his back next to a tree. The most significant injuries appeared to be on both thighs and his head. He had numerous lacerations and puncture wounds all over his body. About ten feet away from Uptain's body was an empty can of bear spray. Uptain was approximately 100 feet uphill from backpacks. The backpacks were approximately 50 feet uphill from the elk carcass.

I took photos of a firearm as it was found. The gun was laying on its barrel with the butt of the handle facing upward, with no magazine in it. I took photos of the magazine, which appeared to be fully loaded with rounds. The holster was laying several feet away from the magazine and the firearm was about 20 feet to the west of the magazine. The backpacks and other hunting gear was laying next to the magazine. A crossbow was located about 20 feet above the packs, laying against a log with no bolt loaded.

A range finder and its holster was found about 50 feet to the northwest of the elk carcass. I took a photo of the range finder as it was found.

There were several areas of disturbed ground with blood pooling along a blood trail. The blood trail was from both the elk which was coming downhill after it was shot with an arrow and from Uptain going uphill away from the bear attack.

(EVIDENCE)

I took pictures of the deceased, as he was found. I took pictures of the scene from the elk remains up to the remains of Uptain. Teton County Under Sheriff Matt Carr collected the firearm, a 10mm Glock handgun. All of the hunting gear was collected and turned over to the Wyoming Game and Fish for evidence processing of bear hair and any other possible evidence from the bear attack.

(INVESTIGATION)

Wyoming Department of Fish and Game will conduct an investigation into the bear attack.

The Teton County Coroners Office will conduct an investigation to determine actual cause of death.