

BEFORE THE OREGON FISH AND WILDLIFE COMMISSION

**In the Matter of
Commercial Fishing Licenses
Held by Richard Shore**

Final Order by Default

Notice of Right to Appeal

I. BACKGROUND

Richard Shore currently holds Resident Commercial Fishing License #16307 and Resident Limited Fish Seller License #108G7 issued for 2022 by the Oregon Department of Fish and Wildlife (the Department).

On June 30, 2022, the Department issued a Notice of Intent to Revoke Two Commercial Fishing Licenses and Opportunity for a Hearing along with a Notice to Active Duty Service Members and Notice of Contested Case Rights (collectively hereafter referred to as the “Notice”). The Notice offered Mr. Shore an opportunity for a hearing, if requested in writing within 21 days from the date the Notice was mailed. The Notice designated the relevant portions of the Department’s files on the matter as the record for the purposes of default, and provided that in event Mr. Shore failed to timely request a hearing the Commission may issue a Final Order by Default, in accordance with ORS 183.417(4). The Notice was mailed to Mr. Shore to his address of record by regular and certified U.S. mail. Mr. Shore did not timely request a hearing on the Notice.

The Oregon Fish and Wildlife Commission (Commission) is required to revoke a person’s commercial fishing license if that person has been convicted of three or more violations of commercial fishing laws within a three-year period.

NOW, THEREFORE, after consideration of the records and files of the Commission relating to this matter and under this authority, the Commission makes the following findings of fact and conclusions of law, and issues the following Final Order By Default revoking the specified commercial fishing licenses.

II. FINDINGS OF FACT

1. Richard Shore holds a Resident Commercial Fishing License #16307, a Resident Limited Fish Seller License #108G7, and a Resident Ocean Dungeness Crab Permit #96294 issued by the Department in 2022. Exhibit A (Shore Commercial Fishing Licenses).
2. Mr. Shore was convicted in the State of Oregon for one count of a class A misdemeanor “prohibitions taking/buying/selling/handling food fish,” per Oregon Revised Statute (ORS)

509.006 (case number 15CR1618). The crime took place on or about 6/24/2015, and the conviction is based upon a guilty plea on 6/1/2016. Exhibit B (Case #15CR1618).

3. Mr. Shore was convicted in the State of Oregon for a violation class A “Failure to Keep Record of Fish Record or Allow Record Inspection,” per ORS 508.535 (case number 19VI137227). The violation occurred on 9/3/2019, and the conviction occurred on 9/26/2019. Exhibit C (Case #19VI137227).
4. Mr. Shore was convicted in the State of Oregon for a violation class A “Unlawful Take/Possession/Buying/Selling/Handling Food Fish,” per ORS 509.0067 (Case number 20VI178497). The violation occurred on 3/10/2020 and the conviction occurred on 7/16/2020. Exhibit D (Case #20VI178497).
5. Mr. Shore was convicted in the State of Oregon for a violation Class A “Failure to Keep Record of Fish Record or Allow Record Inspection,” per ORS 508.535 (Case number 20VI178498). The violation occurred on 4/1/2020 and the conviction occurred on 7/16/2020. Exhibit E (Case #20VI178498).
6. Mr. Shore was convicted in the State of Oregon for a violation Class A “Failure to Keep Record of Fish Record or Allow Record Inspection,” per ORS 508.535 (case number 20VI178499). The violation occurred on 5/21/2020, and the conviction occurred on 7/16/2020. Exhibit F (Case #20VI178499).
7. Mr. Shore was convicted in the State of Oregon for a violation Class A “Failure to Keep Record of Fish Record or Allow Record Inspection,” per ORS 508.535 (case number 20VI132150). The violation occurred on 10/21/2020, and the conviction occurred on 12/3/2020. Exhibit G (Case # 20VI132150)

III. ULTIMATE FINDING OF FACT

1. Since 2016, Mr. Shore was convicted three times for violations of the commercial fishing laws of the State of Oregon within a 3-year period – between 2019 and 2020.

IV. CONCLUSIONS OF LAW

1. Pursuant to ORS 509.485(1) and OAR 635-006-0235, the Commission must revoke the following commercial permits or licenses for the remainder of 2022:
 - a. 2022 Resident Commercial Fishing License (Permit #16307);
 - b. 2022 Resident Limited Fish Seller Permit (License #108G7);
2. In addition, the Commission may refuse to issue any Commercial Fishing permits or licenses for one year from the date of issuance of the final order revoking the following permits or licenses:
 - a. 2022 Resident Commercial Fishing License (Permit #16307);
 - b. 2022 Resident Limited Fish Seller Permit (License #108G7);

V. Final Order

The Commission issues the following order:

2022 Personal commercial license #16307, and 2022 limited fish seller license #108G7, in the name of Richard Shore are hereby revoked for the remainder of the calendar year, 2022, and no license or permit issued under the authority of the Commission, or director, pursuant to the commercial fishing laws may be issued to Mr. Shore until one year from the issuance date of the Commission's Final Order in this case.

VI. Appeal Rights

You are entitled to judicial review of this Order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date of this Order.

Issued this _____ day of _____, 2022.

Mary Wahl
Chair
Oregon Fish and Wildlife Commission

Date of Service: _____

Oregon Department of Fish and Wildlife

2022 RESIDENT INDIVIDUAL COMMERCIAL FISHING
LICENSE NO: 16307

DOB: 11/05/1979

Fee: \$0.00

VALID: 01/01/2022 TO 12/31/2022

RICHARD SHORE
PO BOX 5957
CHARLESTON OR 97420

It is unlawful to refuse inspection, by an employee of ODFW or any person authorized to enforce the commercial fishing laws, of this license and any facilities, boats, fishing gear, and all property used in the taking, processing and packing of food fish.

Exhibit A

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DT037

Oregon Department of Fish and Wildlife

2022

**RESIDENT LIMITED FISH
SELLER LICENSE**

DEALER ACCOUNT: **108G7** FEE: \$0.00

VALID: 04/01/2022 TO: 12/31/2022

DEALER NAME: SHORE, RICHARD

VESSEL: 548572 - LADY KATHY

RICHARD SHORE

87422 14 ST SW

BANDON OR 97420

It is unlawful to refuse inspection, by an employee of ODFW or any person authorized to enforce the commercial fishing laws, of this license and any facilities, boats, fishing gear, and all property used in the taking, processing and packing of food fish.

Exhibit A

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REPRINTED ON 06/29/2022

DT089

Exhibit B

State of Oregon VS. RICHARD ALLEN SHORE, Case No. 15CR1618

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF COOS

| | | |
|----------------------|---|----------------------------|
| State of Oregon, |) | |
| Plaintiff |) | |
| |) | Case No.: 15CR1618 |
| vs. |) | |
| |) | JUDGMENT |
| |) | |
| RICHARD ALLEN SHORE, |) | Case File Date: 07/29/2015 |
| Defendant |) | |

DEFENDANT

| | |
|---|---|
| True Name: RICHARD ALLEN SHORE | Sex: Male |
| Date Of Birth: 11/05/1979 | State Identification No (SID): 17640968OR |
| Fingerprint Control No (FPN): JCOO115017405 | |

HEARING

Proceeding Date: 06/01/2016
Judge: Richard L Barron

The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) JEFFREY A THOMPSON, OSB Number 086036. Plaintiff appeared by and through Attorney(s) Jody Newby, OSB Number 152000.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1 : Prohibitions Taking/Buying/Selling/Handling Food Fish

Count number 1, Prohibitions Taking/Buying/Selling/Handling Food Fish, 509.006, Misdemeanor Class A, committed on or about 06/24/2015. Conviction is based upon a Guilty Plea on 06/01/2016.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

| Type | Amount | Modifier | Reduction | Actual Owed |
|--------------------|----------|----------|-----------|-------------|
| Attorney Fees | \$160.00 | | | \$160.00 |
| Fine - Misdemeanor | \$750.00 | | | \$750.00 |
| Total | \$910.00 | | | \$910.00 |

To be paid in full within 30 days.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD

Judgment Creditor: State of Oregon

Judgment Debtor: RICHARD ALLEN SHORE

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

| Type | Amount Owed |
|--------------------|-------------|
| Attorney Fees | \$160.00 |
| Fine - Misdemeanor | \$750.00 |
| Total | \$910.00 |

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

Payment Schedule

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Coos County Courthouse
250 N. Baxter
Coquille, Oregon 97423
P: 541-396-4100
F: <http://courts.oregon.gov/Coos>

Dated the _____ day of _____, 20____
Signed: 6/1/2016 08:53 AM

Signed: _____
Richard L Barron
Circuit Court Judge Richard L Barron

Exhibit C

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
250 N. Baxter Coquille Oregon 97423

State of Oregon
v.

Case No: 19VI137227

RICHARD ALLEN SHORE

Defendant

GENERAL JUDGMENT

Re: Citation #: **2094100466**

LIEN - This judgment creates a lien

The court finds the defendant GUILTY of the charges designated "CONVICTED" in the section below

| | | | |
|---|------------------------------------|--|-------------------|
| Driver's License# & State: OR-9269080 | | Commercial DL? No | |
| License Name: SHORE, RICHARD ALLEN | | | |
| Date of Birth: 11/05/1979 | Height: | Def is Passenger? No | |
| Sex: Male | Weight: | | |
| Address: 87422 14TH ST SW CHARLESTON, OR 97420 | | | |
| Offense Date: 09/03/2019 | | | |
| EMP: No | CMV: No | Com'l Pass Veh: No | HAZ: No |
| Location: CHARLESTON OR BOAT BASIN | | Time: | |
| ORS/OAR#: | | | |
| 508.535 | Convicted Failure to Appear | Fail to Keep Record of Fish Rec'd or Allow Record Insp | Violation Class A |
| 508.535 | | Fail to Keep Record of Fish Rec'd or Allow Record Insp | Violation Class A |
| Convicted Speed: | Designated Speed: | In School Zone? | |
| | | No; No | |
| Original Date to Appear: 09/26/2019 | | | |

FINE ASSESSED: \$1760.00

Go to www.courts.oregon.gov/ePay to pay online

() includes restitution of \$ _____ payable to: (name, address: _____)
Judgment Creditor: State of Oregon **Judgment Debtor:** Defendant

Payment in full is due **IMMEDIATELY**. If payment is not received within 30 days of this judgment, additional costs and fees will be added and your driver's license may be suspended.


Signed: 10/21/2019 11:55 AM

Circuit Court Judge Brett Pruess

Exhibit D

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
250 N. Baxter Coquille Oregon 97423

State of Oregon
v.

Case No: 20VI78497

Richard Allen Shore

Defendant

GENERAL JUDGMENT
Re: Citation #: 2094100496

The court finds the defendant GUILTY of the charges designated "CONVICTED" in the section below

| | | | |
|---|--------------------------------------|--|--------------------------|
| Driver's License# & State: OR-9269080 | | Commercial DL? No | |
| License Name: Shore, Richard Allen | | | |
| Date of Birth: 11/05/1979 | Height: | Def is Passenger? No | |
| Sex: Male | Weight: | | |
| Address: 87422 14TH ST SW CHARLESTON, OR 97420 | | | |
| Offense Date: 03/10/2020 | | | |
| EMP: No | CMV: No | Com'l Pass Veh: No | HAZ: No |
| Location: PACIFIC OCEAN CHARLESTON | | Time: | |
| ORS/OAR#: | | | |
| 509.006 | Convicted - Failure to Appear | Unlawful Take/Possess/Buy/Sell/Handle Food Fish | Violation Class A |
| Convicted Speed: | Designated Speed: | In School Zone? | |
| | | No | |
| Original Date to Appear: 07/16/2020 | | | |

FINE ASSESSED: \$440.00

Go to www.courts.oregon.gov/ePay to pay online

includes restitution of \$ payable to: (name, address:)
Judgment Creditor: State of Oregon Judgment Debtor: Defendant

Payment in full is due IMMEDIATELY. If payment is not received within 30 days of this judgment, additional costs and fees will be added and your driver's license may be suspended.

8/7/2020
Date

/eS/ Kara Haynes
Violations Clerk

Exhibit E

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
250 N. Baxter Coquille Oregon 97423

State of Oregon
v.

Case No: 20VI78498

Richard Allen Shore

Defendant

GENERAL JUDGMENT
Re: Citation #: 2094100497

The court finds the defendant GUILTY of the charges designated "CONVICTED" in the section below

| | | | |
|---|--------------------------------------|---|--------------------------|
| Driver's License# & State: OR-9269080 | | Commercial DL? No | |
| License Name: Shore, Richard Allen | | | |
| Date of Birth: 11/05/1979 | Height: | Def is Passenger? No | |
| Sex: Male | Weight: | | |
| Address: 87422 14TH ST SW CHARLESTON, OR 97420 | | | |
| Offense Date: 04/01/2020 | | | |
| EMP: No | CMV: No | Com'l Pass Veh: No | HAZ: No |
| Location: PACIFIC OCEAN CHARLESTON | | Time: | |
| ORS/OAR#: | | | |
| 508.535 | Convicted - Failure to Appear | Fail to Keep Record of Fish Rec'd or Allow Record Insp | Violation Class A |
| Convicted Speed: | Designated Speed: | In School Zone? | |
| | | No | |
| Original Date to Appear: 07/16/2020 | | | |

FINE ASSESSED: \$440.00

Go to www.courts.oregon.gov/ePay to pay online

includes restitution of \$ payable to: (name, address:)
Judgment Creditor: State of Oregon Judgment Debtor: Defendant

Payment in full is due IMMEDIATELY. If payment is not received within 30 days of this judgment, additional costs and fees will be added and your driver's license may be suspended.

8/7/2020
Date

/eS/ Kara Haynes
Violations Clerk

Exhibit F

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
250 N. Baxter Coquille Oregon 97423

State of Oregon
v.

Case No: 20VI78499

Richard Allen Shore

Defendant

GENERAL JUDGMENT
Re: Citation #: **2094100498**

The court finds the defendant GUILTY of the charges designated "CONVICTED" in the section below

| | | | |
|---|--------------------------------------|---|--------------------------|
| Driver's License# & State: OR-9269080 | | Commercial DL? No | |
| License Name: Shore, Richard Allen | | | |
| Date of Birth: 11/05/1979 | Height: | Def is Passenger? No | |
| Sex: Male | Weight: | | |
| Address: 87422 14TH ST SW CHARLESTON, OR 97420 | | | |
| Offense Date: 05/21/2020 | | | |
| EMP: No | CMV: No | Com'l Pass Veh: No | HAZ: No |
| Location: PACIFIC OCEAN CHARLESTON | | Time: | |
| ORS/OAR#: | | | |
| 508.535 | Convicted - Failure to Appear | Fail to Keep Record of Fish Rec'd or Allow Record Insp | Violation Class A |
| Convicted Speed: | Designated Speed: | In School Zone? | |
| | | No | |
| Original Date to Appear: 07/16/2020 | | | |

FINE ASSESSED: \$440.00

Go to www.courts.oregon.gov/ePay to pay online

includes restitution of \$ payable to: (name, address:)
Judgment Creditor: State of Oregon **Judgment Debtor:** Defendant

Payment in full is due **IMMEDIATELY**. If payment is not received within 30 days of this judgment, additional costs and fees will be added and your driver's license may be suspended.

8/7/2020
Date

/eS/ Kara Haynes
Violations Clerk

Exhibit G

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
250 N. Baxter Coquille Oregon 97423

State of Oregon
v.

Case No: 20VI132150

Richard Allen Shore

Defendant

GENERAL JUDGMENT
Re: Citation #: **2094100518**
LIEN - This judgment creates a lien

The court finds the defendant GUILTY of the charges designated "CONVICTED" in the section below

| | | | |
|---|--------------------------------------|---|--------------------------|
| Driver's License# & State: OR-9269080 | | Commercial DL? No | |
| License Name: Shore, Richard Allen | | | |
| Date of Birth: 11/05/1979 | Height: 6 Ft. 0 In. | Def is Passenger? No | |
| Sex: Male | Weight: 200 Lbs. | | |
| Address: 87422 14TH ST SW BANDON, OR 97411 | | | |
| Offense Date: 10/21/2020 | | | |
| EMP: No | CMV: No | Com'l Pass Veh: No | HAZ: No |
| Location: CHARLESTON BOAT BASIN | | Time: | |
| ORS/OAR#: | | | |
| 508.535 | Convicted – Failure to Appear | Fail to Keep Record of Fish Rec'd or Allow Record Insp | Violation Class A |
| Convicted Speed: | Designated Speed: | In School Zone? | |
| | | No | |
| Original Date to Appear: 12/03/2020 | | | |

FINE ASSESSED: \$440.00

Go to www.courts.oregon.gov/ePay to pay online

includes restitution of \$ payable to: (name, address:)
Judgment Creditor: State of Oregon **Judgment Debtor:** Defendant

Payment in full is due **IMMEDIATELY**. If payment is not received within 30 days of this judgment, additional costs and fees will be added.

Signed: 12/22/2020 03:19 PM



Circuit Court Judge Brett Pruess