

Joan Ilacqua
HGSA Conference Paper
Sasquatch and the Law: The Implications of Bigfoot Preservation Laws in Washington State

The American Pacific Northwest is characterized and recognized by its lush wilderness, mountain ranges, salmon, Starbucks coffee, and most recently, by “Portlandia”-esque hipsters. The Pacific Northwest is also the home of the elusive, and presumed bogus, Sasquatch. Although the Sasquatch has its roots in Native American lore, the word “Sasquatch” is an anglicized Salish word, the first Bigfoot story was published by pioneer missionary Elkanah Walker in 1840 and a long tradition of publishing Bigfoot stories has proliferated since. Bigfoot searches and stories culminated in the 1967 Patterson-Gimlin film of a supposed female Sasquatch, although the myth has found resurgence in modern Bigfoot hunting television shows. Whether or not the elusive Sasquatch exists, ultimately the stories serve as a cautionary tale to act pragmatically in the wilderness. The myth and subsequent stories have become a symbol of the Pacific Northwest region. Bigfoot fervor also resulted in two Sasquatch preservation laws: the 1969 Skamania County Ordinance no. 69-01, later amended in 1984, and the 1991 Whatcom County Resolution No. 92-043. Each law purports to protect a creature that, if it does exist, is obviously endangered. The laws have a secondary purpose of protecting unsuspecting wilderness seekers from Bigfoot hunters, on their own the laws seem superfluous but they fit into a larger narrative about wilderness conservation and preservation in Washington state.

Skamania County is in southeastern Washington state, just south of Mount Rainier,

and includes Gifford Pinchot National Forest and Mount Saint Helens. Skamania County has a long history between white settlers and the elusive Sasquatch, one of the earliest being French-Canadian painter Paul Kane's attempt to paint Mount St. Helens. In 1847, Kane tried to hire a group of Multnomah Indians to guide him along the Lewis River to get a better view of the mount. The Natives declined his request because near the headwaters of the river lived the Skookums, a "race of giant, hairy cannibals."¹ The area near the river was off-limits, and no one would guide Kane further. Stories like Kane's give the Pacific Northwest a feeling of untamed wildness and new wilderness to be conquered, attributes tamed through logging and through the damming of the Columbia River. If you've ever traveled to Washington state you would not be surprised by the wilderness description, the woods are lush and green year round and more than half of the state, over 23 million acres, is forested.² Skamania County itself is about 90 percent forested.³

In 1969, Skamania County officials passed Ordinance number 69-01, the first official law of the year, dedicated to protecting and preserving Sasquatch. It was signed into law by Commission Chair Conrad Lundy Jr. and Prosecuting Attorney Robert K. Leick. Although the law passed on April 1st, Lundy claimed "This is not an April Fool's Day joke. There is reason to believe such an animal exists."⁴ The ordinance, in part, states:

WHEREAS, there is evidence to indicate the possible existence in Skamania

¹ Michael McLeod, *Anatomy of a Beast: Obsession and Myth on the Trail of Bigfoot*, (Berkeley: University of California Press, 2009), 95.

² "WSU Extension | Focus Spring 2004 | Facts about Washington Forests," accessed March 15, 2014, <http://caheinfo.wsu.edu/focus/2004spring/wff.html>.

³ "Port of Skamania County, Washington Economic Development Info," accessed March 17, 2014, <http://www.portofskamania.org/demographics.htm>.

⁴ *Skamania County Pioneer*, quoted in: Robert Michael Pyle, *Where Bigfoot Walks: Crossing the Dark Divide*, (Boston: Houghton Mifflin, 1995), 278.

County of a nocturnal primate mammal various described as an ape-like creature or a sub-species of Homo Sapien [sic]; ...and WHEREAS, publicity attendant upon such real or imagined sightings has resulted in an influx of scientific investigators as well as casual hunters, many armed with lethal weapons, and WHEREAS, the absence of specific laws covering the taking of specimens encourages laxity in the use of firearms and other deadly devices and poses a clear and present threat to the safety and well-being of persons living or traveling within the boundaries of Skamania County as well as to the creatures themselves, THEREFORE BE IT RESOVLED that any premeditated, willful and wanton slaying of any such creature shall be deemed a felony punishable by a fine not to exceed Ten Thousand Dollars (\$10,000.00) and/or imprisonment in the county jail for a period not to exceed Five (5) years. BE IT FURTHER RESOLVED that the situation existing constitutes an emergency and as such this ordinance is effective immediately.⁵

Although the ordinance presents the possibility that Sasquatch is a real creature, and needs to be protected from hunters, it also presents protection toward innocent people mistaken for Sasquatch. It specifically notes the publicity surrounding Sasquatch has led to an increase in investigators and hunters to the area.

Although Sasquatch stories had been circulated by wire-service news agencies starting in the late 1950s after large footprints were found in the Bluff Creek area in Northern California, national Sasquatch fervor came to a head in 1969 because of the Patterson-Gimlin film. The highly recognizable film shows (supposedly) a female Sasquatch walking along a creek bed in Northern California. The quality of the film is poor, and the framing is shaky, but a large ape-like creature can be seen loping away, and even looks back at the cameraman for a moment. Patterson believed his Sasquatch sighting and video would provide him with fame and fortune, and he attested to its veracity until his death in 1972, but it is largely regarded as a hoax. A 1974 New York Times article exclaims the film “has been pondered and debated by scientists and other curious people

⁵ Skamania County Ordinance 1969-01.

in a manner reminiscent of assassination buffs examining the Zapruder film of President Kennedy's death in Dallas."⁶ The film's infamous debut, followed by other nationally syndicated Bigfoot sighting stories, and pop-cultural Sasquatch references including children's book series and *Weekly World News* articles, may have influenced the influx of Sasquatch watchers and hunters to the wild Pacific Northwest.⁷

Regardless of the cause of Sasquatch-fever, or the intention of Skamania County residents (the idea for the original ordinance was attributed to *Skamania County Pioneer* editor and publisher Roy Craft, although whether he meant the law as a joke or serious is unknown), the Skamania county Sasquatch preservation law has largely been taken seriously. The punishment for slaying a Sasquatch is steep, according to my research, no one has ever been arrested for shooting a Sasquatch in Skamania County, although possibly for lack of Sasquatch to hunt.

In 1984, the ordinance was revisited and the felony charge was dropped to a misdemeanor carrying a one year jail sentence and \$1000 fine (Prosecutor Bob Leick realized that the county had overstepped its jurisdictional authority to declare killing a Sasquatch a felony). The amended ordinance states:

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SKAMANIA COUNTY that [the] portion of Ordinance No. 1969-01, deeming the slaying of Bigfoot to be a felony and punishable by 5 years in prison, is hereby repealed and in its stead the follow sections are enacted: SECTION 1. Sasquatch Refuge. The Sasquatch... [is] declared to be endangered species of Skamania

⁶ David C. Anderson, "Stalking the Sasquatch; It's Hard to Prove That Something, Even a Monster, Doesn't Exist," *New York Times*, January 20, 1974.

⁷ For more on the cultural effects of Sasquatch during the 1970s, see Joshua Blu Buhs, *Tracking Bigfoot Through 1970s North American Children's Culture: How Mass Media, Consumerism, and the Culture of Preadolescence Shaped Wildman Lore*. *Western Folklore*, Spring, 2011. 195-218.

County and there is hereby created a Sasquatch Refuge.⁸

Sasquatch became Skamania County's first protected animal, and the entire county became its refuge.⁹ At the hearing for the amended law, Skamania's residents testified about their experiences with Sasquatch, one declining to explain where exactly he encountered Sasquatch for fear of others flocking there, another describing Sasquatch's soft, black, velvet-y face and high pitched whistling call.¹⁰

Furthermore, section 4 of the amended ordinance states, "Should the Skamania County Coroner determine any victim/creature to have been humanoid the Prosecuting Attorney shall persue [sic] the case under existing laws pertaining to homicide."¹¹ The new ordinance, although with more lenient overall punishments, included the ultimate Sasquatch protection: the hunter, or killer, could be charged with murder. Again, regardless of the ebb and flow of national interest in hunting Sasquatch, the law has remained on the books and seemingly no one has found the allure and fame of bagging a Sasquatch strong enough to break it.

For about 6 more years, Skamania county remained the only Sasquatch preserve in Washington State. In 1991, amidst the creation of the Mount Baker Foothills Bigfoot Festival, a new Sasquatch preservation law was passed in Whatcom County, a county bordering British Columbia, and encompassing Mount Baker, among other mountains, and North Cascades National Park. Resolution No. 92-043 declared Whatcom County a

⁸ Skamania County Ordinance 1984-2.

⁹ "If You See Bigfoot, Don't Shoot." The Globe and Mail, Apr 05, 1984

¹⁰ "Killing Bigfoot Against the Law in Washington Co." Indian Country Today (1983-1988), Apr 25, 1984.

¹¹ Skamania Ordinance 1984-2.

Sasquatch Protection and Refuge Area. It states:

WHEREAS, legend, purported recent finding and spoor suggest that Bigfoot may exist; and WHEREAS, if such a creature exists, it is inadequately protected and in danger of death or injury; NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that, Whatcom County is hereby declared a Sasquatch protection and refuge area, and all citizens are asked to recognize said status.¹²

The resolution was requested by Al Magnussen, the vice president of the Mt. Baker Chamber of Commerce.¹³ Unlike the Skamania County law, the Whatcom County preservation ordinance does not provide for a protection of Whatcom county residents and visitors, nor does it explain a rise in Sasquatch searching or hunting. Instead, it seems the law is the result of the newly created Bigfoot Fest held in Maple Falls, Washington. (which in itself may be a reaction to the smash hit, 1987 Harry and the Hendersons movie and it's subsequent 1991 television show spin off). The first of the Bigfoot Festivals occurred in 1991 and it's unclear how long the event ran.¹⁴ In a short telephone call with the Mount Baker Chamber of Commerce Visitor Center, the polite woman on the phone told me she thought the Bigfoot Festival was an old-timer event. She seemed surprised that I was looking at a 1991 festival, but that she wasn't surprised it had occurred at all. Evidently Bigfoot talk is nothing to bat an eye at in Whatcom County.¹⁵ The latest mention I could find of the Bigfoot at Baker Fest is 2003 and it is not evident why the event no longer runs. Regardless of its beginnings as a potentially a publicity event, as with the Skamania law,

¹² Whatcom County Resolution No. 92-043.

¹³ Susan Paynter, "KEEP SIGHTS OFF HAIRY BEASTS IN WHATCOM COUNTY." *Seattle Post Intelligencer*, June 17, 1991.

¹⁴ "PROTECTION SOUGHT FOR BIGFOOT, LOOK-ALIKES." *Seattle Times*, June 13, 1991.

¹⁵ Joan Ilacqua Phone interview with Mt. Baker Chamber of Commerce. March 9, 2014.

the Whatcom County law seems to have never been broken. It is almost surprising given the resurgence of Bigfoot related reality television shows that the hunt, widely represented, has not been resumed.

The question remains, why were Sasquatch preservation laws created and upheld? Without adequate sources detailing the thoughts and motivations of the men who petitioned for Sasquatch preservation laws, we cannot know definitively why they are on the books. Seemingly, in 1969 and 1991, something motivated individuals to protect the Sasquatch. Considering the language in the 1969 ordinance, it seems fueled by a desire to protect innocent campers and hikers from accidentally being harmed by Sasquatch hunters. The 1991 ordinance seems to have been created to publicize the Bigfoot at Baker Fest, although its impact and influence seem inconsequential in the long run.

The laws themselves do not seem significant, but it also does not seem that either law has ever been broken. Although the Skamania Law is at least referenced in a 2003 *Portland Mercury* article where the author feels the law is worth breaking, the punishment is not as severe as the potential reward.¹⁶ Instead of looking for deeper meanings within the laws themselves, in keeping with the theme of this conference of analyzing how we are “Doing History,” I looked for ways in which to fit these laws into a larger historical narrative about preservation in Washington state. The laws and general attitudes toward Sasquatch mirror Washingtonian attitudes toward salmon.

Prior to being settled by whites, salmon was an important native american dietary staple. Early settlers scoffed at how the natives ate fish over their own dried meats. In the

¹⁶ Erik Henriksen, “I Hunt the Giant Man-Ape: Another Thrilling True-Life Adventure Starring Erik Henriksen, Sasquatch Slayer,” *Portland Mercury*, September 11, 2003.

20th century, white settlers began to capitalize on the fish, canning it and sending it around the county.¹⁷ Eventually, the commercial rise of salmon helped lead to its demise through overfishing and damming of waterways. According to one scholar, the commercial harvesting of salmon also resulted in “efforts to conserve and even preserve salmon in the rivers, which documents the importance salmon had [to] the general population.”¹⁸ In the same trajectory, Sasquatch moves from a symbol of an untamed wilderness, to a creature that needs to be found and tamed, to a revered symbol that needs to be preserved.

The Sasquatch embodies what is lost during the transition from wilderness to civilization, in the same way that salmon do, although salmon have been bred in captivity and the Sasquatch is still elusive. In *Three Legends of Northwestern California*, Lynwood Carranco argues that “the legend of Bigfoot has become a symbol of the vast primitive wilderness of Northwestern California where Nature reigns supreme.” The sentiment remains the same for the Pacific Northwest, Sasquatch emerges as a symbol of a place where “Nature reigns supreme,” and where nature is protected by people who once sought to conquer it.

¹⁷ John M. Findlay, “A Fishy Proposition: Regional Identity in the Pacific Northwest,” in *Many Wests: Place, Culture & Regional Identity*, ed. David M. Wrobel and Michael C. Steiner, 37-70 (Lawrence: University of Kansas Press, 1997), 41.

¹⁸ William L. Lang, “Beavers, Firs, Salmon, and Falling Water: Pacific Northwest Regionalism and the Environment.” *Oregon Historical Quarterly* 104, no. 2 (January 2003).