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April 6, 2026

Legal action aims to prevent unconstitutional Alaska bear-killing program while lawsuit proceeds

ANCHORAGE, Alaska — Alaska Wildlife Alliance and the Center for Biological Diversity filed an [emergency legal motion](#) today seeking to prevent the state from killing an unlimited number of brown and black bears across roughly 40,000 square miles in southwest Alaska this summer.

"The court has already ruled that this program is unlawful and that last summer the State carried it out 'in bad faith,'" said **Nicole Schmitt, executive director with the Alaska Wildlife Alliance**. "In response, the state wrapped this unconstitutional program in the same tired packaging, with the same legal flaws. The facts remain that this program is not based on science, has no legitimate measures of success, and has cost the state more than \$1 million in program and legal fees."

Today's motion asks the Alaska Superior Court to issue a preliminary injunction preventing the Alaska Department of Fish and Game from carrying out predator control operations targeting bears in the Mulchatna Caribou Herd Predation Management Area while [litigation](#) challenging the program's legality is pending. The groups warn that without immediate court intervention, the state could resume killing bears in May, causing irreversible harm.

"The State is once again primed to gun down bears from helicopters this spring even though it still has no idea how many bears live in the targeted area," said **Michelle Sinnott, staff attorney with Trustees for Alaska**. "The Alaska Constitution requires the State to manage bear populations sustainably. Instead of collecting credible scientific evidence of bear populations, the Board of Game once again gave the Department a blank check to kill bears across an entire region. That's exactly the kind of unconstitutional, shoot-first management the court has already rejected."

Today's motion is linked to a [lawsuit](#), brought by the law firm Trustees for Alaska in Alaska Superior Court. It challenges the reinstatement of the Mulchatna bear control program under

the sustained yield clause of the Alaska Constitution, which requires the state to manage wildlife populations as a protected public resource that must be maintained in perpetuity. The Alaska Supreme Court has determined that this clause applies to all wildlife, including bears.

“I really want to see the Mulchatna caribou herd grow and thrive, but this unscientific and cruel approach of just killing every bear in sight across southwest Alaska can’t be the way forward,” **said Cooper Freeman, Alaska director at the Center for Biological Diversity.** “Alaska needs to stop wasting public resources and make wildlife management decisions firmly rooted in science and sustainability. That’s what the constitution requires, and it’s also what will be best in the long run for bears, caribou and the entire ecosystem.”

Operating under the 2022 Mulchatna bear control program, the department killed 175 brown bears and five black bears in 2023 and 2024. Alaska Wildlife Alliance challenged that original program, and in March 2025 the Anchorage Superior Court struck it down as unconstitutional, in part because the Alaska Board of Game had not relied on credible scientific evidence of bear populations. The court ruled the Mulchatna predator control regulation was “unlawfully adopted and, therefore, void and without legal effect.”

A week after that decision, the board adopted an emergency regulation to reinstate the program. In mid-May 2025, the court struck down that emergency rule as a bad-faith attempt to circumvent its earlier order, but not before the department killed 11 more brown bears. Despite those rulings, the Board reinstated the predator control program again in July 2025 without collecting population data on brown or black bears in the control area.

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