



2006

Law Enforcement Annual Reports

Association of Midwest Fish and Game Law Enforcement Officers

2006 Law Enforcement Annual Reports

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WAFWA Law Enforcement Committee
Provincial Report
Alberta
Submitted by: Dave England
Director
Enforcement-Field Services Branch
Fish and Wildlife Division

TRAINING ISSUES:

The Fish and Wildlife Division (FWD) has developed a comprehensive training program that is delivered by approximately 45 certified in-service instructors. Disciplines include the standard suite of law enforcement courses plus a variety of vehicle operations programs (boats, ATV, 4X4, etc.). The FWD also provides some specialty training, which includes u/c operator courses and surveillance team training. Additional training is usually outsourced to private contractors and specifically includes those courses that are administered by the Human Resources Service Branch of the department. The training program evolves to meet ongoing changes in Occupational Health and Safety legislation, standards and policies.

The Division has identified this training model as the most cost effective and efficient delivery method; however, there are trade-offs. In addition to their training duties, in-service instructors have district responsibilities that must be fulfilled. When instructors are busy with training assignments, their regular duties must be set aside or shifted to other staff members. This tends to place a strain on regional resources, compelling managers to strike a balance between training delivery and regional responsibilities. To minimize travel and associated expenses for instructors and regional staff, significant effort goes into providing in-service training at strategic locations across the province. Likewise, training is provided at times when regional commitments are less critical.

FUNDING AND STAFFING ISSUES:

Alberta's population has increased 24.19 per cent and the number of Fish and Wildlife Officers per 10,000 Albertans has decreased 7 per cent since 1990. At Alberta's 2004 population level, 153 field officers would be required to maintain a staffing ratio of one field officer per 20,000 people. We currently have 125 field officers serving 3,066,257 Albertans.

The Division has noted a fundamental shift in the nature and competencies of applicants. For example, the evolution from a rural to an urban society is making it increasingly difficult to locate candidates who can readily identify with our stakeholder groups. So too is our ability to find officers who are willing and able to undertake specialty functions such as undercover or covert operations.

The Division's ability to fully fund existing positions and generate new ones is an ongoing challenge. Staff development, in the form of officer redeployments from region to region is also dependent upon resources that are usually in short supply. Alberta's economy is booming as a

result of oil and gas exploration and extraction, thus boosting the cost of living in some communities beyond the reach of many of our employees, particularly entry-level positions.

There are 61 district Fish and Wildlife Division offices strategically situated in towns and cities across the province. In many cases employees choose not to live in the vicinity of their offices, residing instead in the suburbs, acreages and farms some distance from their base stations. Historically, officers have been authorized to take government patrol units home after their shift in case they are called out to work after hours. Although they are not officially on call, employees are usually willing to answer an emergency call from home. Vehicle costs, particularly in cases where the employee lives further than 10 kilometres from their office, increase accordingly. The Division currently provides a patrol unit to every officer, and escalating leasing costs (in the range of \$10,000 annually) strains the budget.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

In concert with advancements in technology and a mounting market demand for commercial wildlife and fish products, trends indicate that resource crime and those engaged in it are becoming increasingly sophisticated. Wildlife crime has taken to the Internet for sales and booking of hunts while hi-tech tools (and even private investigators) are being used to penetrate u/c identities and track officer movements. Accordingly, the costs for special investigative operations to combat this trend are also on the rise, placing an additional burden on the Division's limited resources.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

The Division has noted that cases involving outfitter guides and their international clients have prompted the use of extraordinary measures to secure witness testimony. Video-link testimony has become a valuable tool to effectively and efficiently present evidence at trial.

The Division is currently working on an initiative to provide other Canadian resource law enforcement agencies direct access to Alberta's Enforcement and Occurrence Reporting System (ENFOR) that tracks occurrence and enforcement records. By granting access to one or two select persons from each of the other agencies, they will be able to directly query the database to check for persons or corporations of interest and access their enforcement history in Alberta. This will provide a secure method to exchange information and aid in the identification of people that may be operating in multiple jurisdictions.

Cross boundary poaching case

Five people from Quebec entered guilty pleas in Alberta Provincial Court in Wainwright to breaking provincial and federal wildlife regulations. On February 2, 2006, the court fined the five people a total of \$26,750, and barred each individual from hunting in Alberta for five years.

The five Quebec residents pleaded guilty to unlawful possession of wildlife, wasting the edible meat of a big game animal, transporting illegally-taken game across provincial boundaries and

obtaining hunting licences when ineligible. The offences involved white-tailed deer and mule deer. Only the antlers had been taken in most instances, not the carcasses.

These convictions were the result of an investigation by the Fish and Wildlife Division of Alberta Sustainable Resource Development, with assistance from the Wildlife Enforcement Division of Environment Canada, Quebec Region - based on detailed information originally supplied by wildlife officers in Saskatchewan.

The hunting offences first came to light in November 2003, when wildlife officers in Saskatchewan intercepted Quebec residents poaching deer in that province and learned they were also operating in the Provost area of Alberta.

After receiving this information, wildlife officers in Alberta began an investigation and determined that an organized network of poachers from Quebec was operating in Alberta. Officers used a variety of methods to gather evidence, including forensic analysis by the Edmonton Police Service of photographs the poachers had in their possession, and DNA analysis of wildlife parts by Alberta's Fish and Wildlife Forensic Lab. It became evident that deer parts the poachers were found to have in Saskatchewan had actually been obtained at various locations in Alberta. Environment Canada officers in Quebec assisted with taking statements and gathering intelligence, helping bring this case to a successful conclusion.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

Alberta boasts a state of the art licensing system. Private vendors sell hunting and fishing licences and all transactions are recorded electronically and are accessible to officers immediately. Although Alberta has had electronic licensing since 1998, access to that information only became available to field officers in 2005.

Alberta's Enforcement and Occurrence Reporting System (ENFOR) is used to record calls for service, compliance checks, operational activity and enforcement information. The system is also used to assist in the management of licence suspensions. The system uses an Internet browser to access the information. Users can access the ENFOR system from any computer that has Internet access.

ENFOR also records location information that can be used for GIS mapping and analysis. A new development will allow field staff to query and plot ENFOR data using the Internet Mapping Framework (IMF). This development should be operational by the end of April 2006 and provide field staff with the capability to design up to 10 custom layers containing enforcement actions and occurrence information that can be added to a large array of base feature information. The IMF also has a direct connection to land title information, allowing officers to click on any parcel of land to obtain the name and address of the owners.

The Division is beginning to use covert computers to detect and monitor Internet wildlife crime. Investigators used this tool in a recent case to expose the illegal booking of hunts in Alberta by U.S. hunters.

STATE, REGIONAL, AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT:

Interim Métis Harvesting Agreement: A recent Supreme Court of Canada decision (*Powley*) prompted the Alberta government to negotiate an Interim Métis Harvesting Agreement with the Métis people of this province, thus providing them with the same hunting and fishing rights as those afforded to Treaty Indians. Since implementation on Oct. 1, 2004, Alberta continues to examine and negotiate these agreements with the other signatories.

Licensing of fish derbies and tournaments: In order to better manage these "Competitive Fishing Events" and reduce any potential negative impact on resources, larger events having more than 25 participants will be licensed and be required to follow conditions and Best Management Practices that are designed to minimize incidental mortalities.

Special Fish Harvest Licences: A pilot program for 2006 on four Alberta lakes will allow anglers, through a draw system involving the issuance of tags, a controlled harvest of walleye where no harvest was previously allowed.

Zoo Standards: New zoo standards will provide a basic level of direction to Alberta's zoos. The standards will guide the department in regulating zoos, provide licensing expectations to the zoo industry and provide the public with clarity surrounding Alberta licensing standards.

Chronic wasting disease: The department continues in its efforts to sample high risk deer populations to effectively monitor and control the spread of this disease in the wild.

Grizzly bear hunting moratorium: A three-year moratorium has been placed on the recreational hunting of grizzly bears to provide an opportunity to study populations and the feasibility of continued hunting opportunities.

COST SAVING INITIATIVES:

The Division has been having inmates at specific corrections institutes build culvert-style bear traps. This has been an effective means of saving money.

Creative sentences handed down by provincial court judges is being directed to delegated authorities which, in turn, direct money back to conservation and enforcement programs.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

A memorandum of understanding has been established that will split Alberta's land base and the responsibilities for resource enforcement between conservation officers in provincial parks and recreation areas and wildlife officers for the rest of the province.

IAFWA Law Enforcement Committee
Colorado Annual Report
By Bob Thompson, Assistant Chief of Law Enforcement

Training Issues

The Colorado Division of Wildlife (CDOW) has concern of the declining number of applicants for the District Wildlife Manager (DWM) position and other entry positions within the agency. The applicant pool has declined from as high as 1,000 plus applicants several years ago to less than 100 applicants per year. With that said, and on the bright side, the CDOW currently has fourteen great DWM candidates and three great Wildlife Technicians going through the Colorado P.O.S.T. academy to obtain their basic law enforcement training and certification. These new employees will then finish out their training under the tutelage of John Hood who is the new Law Enforcement Training Manager for CDOW. John has fifteen plus years with the CDOW as a DWM and Area Wildlife Manager and is also a Master Firearms Instructor

Funding and Staffing Issues

The CDOW just recently hired a full time License Fraud Investigator in the Law Enforcement Unit (LEU). The LEU had Wildlife Technician Bob Griffin temporarily assigned and working on license fraud investigation since August of 2005. Bob Griffin took on the new duties as the full time License Fraud Investigator in April of 2006. Studies show that the Colorado Division of Wildlife is losing at a minimum of one million dollars a year to fraudulent purchases of hunting and fishing licenses. License fraud investigations are complex and tedious. Colorado Wildlife Officers (CWO) assigned to field positions such as District Wildlife Managers who are multi-purpose in an assigned district do not have the time or resources to adequately do very many license fraud investigations. CWO's assigned to the Law Enforcement Unit as Criminal Investigators (CI) have their plates full with other investigations and covert operations. An investigator assigned full-time to license fraud investigations was the best way to address fraudulent purchases of hunting and fishing licenses. A full-time license fraud investigator will help deter violations of license fraud and recoup revenue lost annually to the State of Colorado.

Major Conservation Law Enforcement Trends

The trend in Colorado the last few years is to make a concerted effort about the winter range poaching problem. Over the past 3 years, the CDOW has used many innovative techniques to address the problem of poaching on western slope winter range. These techniques have involved the use of personnel from multiple sections of the agency; advanced forensic techniques; advanced equipment; and some good "old-fashioned" game warden work, all of which have been used since 2003 to detect and deter violations on big game winter range.

With Colorado's notable rebound of deer numbers in recent years, the CDOW realized it had a growing poaching problem – most notably large mature "trophy" size mule deer - primarily on big game winter ranges late in the year. For example in the winter of 2002/2003 there were over 60 headless carcasses from poached big game discovered in just two counties in western Colorado. Citizen complaints of poaching were on the increase as well as documented "trophy

poaching". Numerous headless carcasses were being routinely found and CDOW field personnel were reporting an increase of suspicious activity on big game winter ranges.

In 2003 the Field Operations Section decided to dedicate time and resources to tackle this poaching problem and reverse this disturbing trend. That summer Regional Managers and the Law Enforcement Unit met to discuss various alternatives to address the problem. A decision was made to incorporate a two-pronged approach to the problem. The first approach was to substantially increase officer presence in problem areas through coordinated patrols. The second prong involved a large scale public outreach/education effort. The money, time and increased effort committed to this effort by the Field Operations Section to this project was tremendous. The western slope portion of Colorado - focused primarily along the Colorado/Utah state line as well as several other specific problem areas - were chosen for the initial 2003/2004 Winter Range Patrol.

2003/2004 Winter Range Patrol began with a spirited public outreach. An additional section of CDOW offered to help with this pro-active deterrent effort. Assistance provided by the Public Affairs Section and especially the Information Unit streamlined efforts to supply various media outlets with information regarding the CDOW's planned Winter Range Patrols. Many tools were used such as radio spots, newspaper articles, and billboards. Operation Game Thief (OGT), a nonprofit organization with oversight by the CDOW that offers rewards to people who turn in poachers, helped with some funding (especially the billboards). OGT billboards were put up in Grand Junction and the Denver areas. Several public meetings were conducted in western Colorado to educate the public about the extent of the poaching problem and to garner support.

The actual 2003/2004 patrol effort began in mid-November and ran through mid-January covering 12,000 square miles of winter range. Much preplanning and detail went into the scheduling of both times and areas to be worked to maximize effectiveness of the overall effort and to provide the best use of coverage. With assistance from other area personnel from around the State; approximately 65 wildlife officers were involved in the operation.

In 2003/2004 there were 4,000 documented hours spent on patrol and approximately 50,000 miles driven. The patrols consisted of both uniformed officer patrols and unmarked/plainclothes patrols and covered all time frames of the day or night. Surveillance in problem areas was set up along the state line and was coordinated with wildlife law enforcement personnel from the State of Utah. Remote cameras were used in problem areas to document illegal activities. Decoy operations were conducted to target poachers taking trophy deer on winter range.

Assistance from the CDOW Terrestrial Section was provided by supplying airplane support along with the Terrestrial Section's pilots. The pilot and a spotter (whether a biologist from the Terrestrial Section or a wildlife officer from the Field Operations Section) circled high overhead during night time and day time operations, directing wildlife officers on the ground to spotlighting activities or other suspicious winter time activity. Night-time airplane patrols were limited for safety reasons to when there was enough available moonlight for the spotter to pick out terrain features. The pilot relied on a Global Positioning System (GPS) to direct ground patrol units to specific locations during both night and day operations. Other innovative techniques and equipment employed included the use of night vision equipment and the use of a GPS Tracking System on targeted suspects.

It is important to note that one additional innovative piece of technology specific to this winter range poaching problem in particular has prompted the creation of a “headless carcass” database. This database consists of DNA samples collected in the field from unsolved poaching cases. These DNA samples are analyzed and stored at the Wyoming Game and Fish Department Laboratory in Laramie, WY. The CDOW has an annual contract with the Wyoming Game and Fish Lab to conduct DNA analysis. As a part of that contract, Wyoming houses the headless carcass database and conducts testing to determine if heads and/or antlers recovered in future investigations match any past unsolved cases. (A special “Thank You” goes to the Wyoming Game and Fish Department and especially Deedra Hawk and Kim Sargeant and their staff at the Wyoming Game and Fish Department Laboratory.) This is another great example of the CDOW working collaboratively with other State agencies and personnel and more specifically, the use of a great technology to combat the threat to a coveted natural resource as an ongoing deterrent.

A summary of the 2003/2004 Winter Range Patrol efforts involving the two prong approach of public awareness and saturation patrol reduced the total poaching/headless carcasses on the west slope from 60+ the previous year to just 15 in 2003/2004 or a >75% reduction. In total, there were over 800 people contacted with this saturation patrol, with a total of 41 violations detected resulting in a 5% violation rate. Of those violations, six cases involving illegal possession of big game were written on the spot with nine others requiring longer term investigations.

The CDOW received positive comment from the public and landowners about the Winter Range Patrol efforts of 2003/2004. In addition to the contacts of potential winter range poachers, there was a higher contact rate of other sportsman groups and hunters than in the past. For example mountain lion hunters, bobcat/small game hunters and permitted night hunters for small game/predators were contacted at an unprecedented rate. The deterrence affect was successful by all accounts and the statistics alone suggest that a lot of trophy animals were saved by CDOW efforts.

Based on the successes and lessons learned form the 2003/2004 efforts, CDOW staff began planning for the 2004/2005 winter. Decisions were made to expand the effort to other problem areas and to incorporate other techniques. While the 2004/2005 Winter Range Patrol efforts continued with the same emphasis on deterrence, the patrol areas were expanded to areas around Montrose, Gunnison, Saguache, Durango, Ignacio, and State Bridge as well at the state line area around Grand Junction and Rangely. In addition to all of the tools and techniques utilized in previous efforts, unmarked trucks were rented to allow officers to more effectively detect violations through surveillance. It seems that the bad guys know exactly what the “game warden” is driving and the rental trucks caught them off-guard.

The 2004/2005 Winter Range Patrol efforts saw 99 wildlife officers participating with over 28,000 miles driven; nearly 4,500 hours of patrol time; nine hours of aircraft patrol; and over 800 contacts made. There were 27 citations written with 22 illegal animals involving both big game and small game, not including seven ongoing investigations. One of the cases in the Durango area required the assistance of the New Mexico State Police and the New Mexico Department of Game and Fish. Some of the defendants were charged in New Mexico and some were charged in Colorado.

In February 2005, Area Wildlife Managers and Regional Managers in the Northwest and Southwest Regions along with the Law Enforcement Unit met again to discuss the past winter’s

efforts and the potential for such efforts in the 2005/2006 winter. The decision was made to conduct and fund an intensive Winter Range Patrol effort again in 2005/2006. Again, the effort was modified to try and stay ahead of the poachers. Public information was modified to educate the public as to past successes of patrols and to solicit information of ongoing or past poaching activities.

With the boom of oil/gas activity in Northwest Colorado there was a concern of increased poaching from the influx of oil/gas workers and associated increase in human activity on the winter ranges in this part of the state. To address this concern, scheduled patrols began in portions of northwest Colorado as early as mid-September. Proactive contacts with the companies involved in the oil/gas industry were made to educate workers, supervisors and company executives alike. It is our feeling that these contacts paid huge dividends both in terms of education and in deterrent affects. Cooperative agreements reached early in this process allowed access by officers to the many privately controlled areas occupied by wildlife furthering the intent of the effort to protect the wildlife resource.

Twelve wildlife officers participated in these early patrols, covering nearly 3,000 extra miles; four hours of aircraft time used; 21 contacts made and two citations issued to violators. As the oil/gas activity is expected to increase greatly in future months and years, poaching problems are expected to increase as well. Planning is underway to address this additional threat to big game.

To date the 2005/2006 Winter Range Patrol effort has resulted in 41 wildlife officers logging 742 hours of patrol time; 10,307 patrol miles driven; three aircraft patrol hours; with 158 contacts made; seven violators cited; and three big game animals seized as illegal animals. The use of aircraft was limited due to weather conditions and some mechanical problems with one of the aircraft.

Planning and coordination is already underway for the 2006/2007 seasons. One of the decisions already made is that teams and resources will be set up that are more mobile and flexible. This will allow CDOW officers to be more reactive to hotspots and weather conditions than in the past and therefore more efficient.

As you can see, the CDOW has developed an innovative, aggressive and focused operation to deter the loss of trophy class mule deer on Colorado's winter range. An extended public relations effort; coordination of resources and agencies; the use of innovative equipment and techniques; as well as efforts by wildlife officers above and beyond the call of duty have all combined to reduce the effects of winter range poaching over the past several years.

Unique Cross Boundary or Cooperative, Enforcement Efforts

The CDOW had several great interagency/interstate major Lacey Act investigations this year. One great case is the Steve HERRMANN; et al case involving the Wyoming Game and Fish Department, the Larimer County, Colorado Sheriff's Department, the Iowa State Patrol, the Kentucky Department of Fish and Wildlife Resources, the U.S. Fish and Wildlife Service and the CDOW. The case started in 2001 when Wyoming Game and Fish Officer Bill Daley investigated a trespass and killing of a large bull elk near Tie Siding, WY. HERRMANN was the prime suspect and Officer Daley collected a DNA sample and recovered a .22 Hornet bullet from the elk.

In November of 2004 DWM Aimee Ryel investigated a headless deer in Buckhorn Heights near Masonville, CO. DWM Ryel takes a DNA sample and starts a case file. The deer is within one mile of HERRMANN'S old residence which was unknown at that time and there were no apparent suspects at the time.

Then in January of 2005 DWM Jim Jackson and other Area 4 officers respond to a trespassing complaint near the Wyoming border. Several elk are taken illegally and one is shot and left. A radio call to Wyoming results in Wyoming officers stopping HERRMANN and friends in Wyoming with elk. All are cited and released on Colorado violations. Wyoming Officer Haley looks at guns HERRMANN has, but no .22 Hornet is present. HERRMANN pleads guilty to the wildlife charges, but the judge issues the wrong sentence. The sentence is corrected by the judge, but HERRMANN fails to take care of the fine and takes off for Kentucky. In the mean time Larimer County SO investigates HERRMANN for auto theft, burglary, etc. and issues a warrant for his arrest. DWM Ryel and Investigator Antonio interview HERRMANN'S ex-girlfriend in jail and talks about HERRMANN'S poaching sprees.

DWM Jackson contacts USFWS Special Agent Dan Coil to help with getting HERRMANN to pay his citation from Kentucky. SA Coil gets in contact with Kentucky Wildlife Officer Charles Phillips and asks him to help locate HERRMANN. Iowa State Patrol stops HERRMANN in Iowa driving a stolen vehicle with stolen belongings. Iowa State Patrol contacts SA Coil with seizure of HERRMANN'S vehicle and several firearms. Kentucky Officer Philips goes to HERRMANN'S father's cabin and finds other evidence such as a bighorn sheep skull and horns and a shoulder mounted elk head and rack.

It is learned that HERRMANN and friends are living in a tent down by the river (Big Bone Creek). HERRMANN avoids Kentucky Officer Phillips by running off each time through the bushes. Officer Phillips works with his local contacts and HERRMANN'S relatives in the Boone County Sheriff's Department to have HERRMANN turn himself in. Evidence begins to disappear in Kentucky. Kentucky Officer Phillips calls SA Coil and asks for help in the growing case. SA Coil and Investigator Antonio fly to Kentucky to assist Kentucky Officer Phillips and two other USFWS Agents in Kentucky. Officers conduct more than 15 interviews, locate evidence, pictures and serve two search warrants in Kentucky. Meanwhile back in Colorado, Investigator Eric Harper, DWM Jackson and DWM Ryel work with HERRMANN'S ex-girlfriend in Colorado to locate kill sites and evidence.

SA Coil and Investigator Antonio interviews HERRMANN for more than six hours in the Boone County, Kentucky jail. HERRMANN admits to large amounts of poaching in Colorado including: poaching more than 15 deer since 1998 and removing only their heads (no license, illegal weapon, trespass, etc); poaching two antelope and removing only their heads; poaching more than eight elk; and, poaching an eagle and parting it out. HERRMANN made the comment, *"I tried mule deer once and it tasted like sage brush so I just took the heads after that."* HERRMANN also stated, *"I would practice with cans on posts and driving by and shooting them."* HERRMANN advised that he got good enough that he could drive at 20 to 30 miles per hour in his vehicle and shoot cans off of fence post. This was how HERRMANN would do most of his killing of wildlife and then come back later to retrieve the heads.

HERRMANN also tells officers where his .22 Hornet rifle is located. HERRMANN admits to poaching two elk in Wyoming. HERRMANN admits to poaching a whitetail in Kentucky upon his return. HERRMANN also tells officers about stealing his ex-girlfriend's truck and personal belongings. HERRMANN also tells officers of burglarizing a cabin and stealing mounts, antlers, and furs. HERRMANN tells about the theft of a log splitter. HERRMANN also gives information about meth dealers in Fort Collins, Colorado. HERRMANN stated that *"Killing and getting away with it made the meth high more intense."*

Upon return to Colorado, eight more interviews are conducted and more evidence collected and submitted to the lab. The .22 Hornet rifle is located and it matched to the bullet that Wyoming Officer Haley had collected in 2001. HERRMANN bonds out on auto theft charge back in Kentucky and goes fishing in Michigan. Mean while back in Colorado, HERRMANN is charged with 12 counts of willful destruction of wildlife and two counts of theft. HERRMANN is warned on 52 misdemeanor wildlife charges. HERRMANN is arrested again in Kentucky on \$100,000 bond and extradited to Colorado and re-interviewed. HERRMANN admits on tape to illegally killing two more elk and another deer. During that interview HERRMANN stated that *"Antelope taste like crap so I only took the head."*

Pictures found during the investigation indicate that an accomplice by the name of Richard PARKER killed at least one deer and an antelope in Colorado in November of 2004. PARKER and his wife lie to agents in Kentucky saying he was "too sick" to hunt. Kentucky Officer Phillips uses informants, interviews, and the local rescue dive team to locate evidence hidden in Kentucky. PARKER had tossed the mounted deer head and mounted antelope into the river which were later retrieved. PARKER is charged with four felony counts and five misdemeanor counts and arrested in Kentucky.

Another accomplice by the name of Clay MOBLEY is charged with three felonies and arrested in Kentucky. MOBLEY has pled guilty to felony Willful Destruction of Wildlife and put on probation for two years with 80 hours of Useful Public Service required as a condition of probation.

As a result of the tenacious efforts of many officers, HERRMANN: Pled guilty to two counts of willful destruction and received **three years in the Colorado Department of Corrections** and sentenced to pay just over \$15,000 in fines and restitution. HERRMANN forfeited firearms and all wildlife seized and pled guilty to theft and received three years in DOC to run concurrently with the wildlife charges. Wyoming is now extraditing HERRMANN and he faces charges under their winter range statute. Also HERRMANN has three other warrants pending in Colorado. Charges on Kentucky deer still pending against HERRMANN and Iowa charges are also pending. Six other people are still pending being charged with multiple misdemeanor charges.

New Innovations in Conservation Law Enforcement

The CDOW has assigned a person from the Wildlife Technologies section full-time to the Law Enforcement Unit (LEU). Ken Shew keeps the LEU updated on ever changing technology advancement that can be used for law enforcement. Ken designs and/or administers such databases as the Operation Game Thief program; the CrimeNtel program which is an intelligence

database; and, the Violator Management System which tracks citations and their disposition. Ken has been working with the Interstate Wildlife Violator Compact System and integrating that database into the Colorado Outdoor Recreation Information System (CORIS) and the Total License System (TLS) to make sure violators from the compact states are not allowed to purchase hunting and fishing licenses in Colorado. Other projects are to develop a state-wide case management system and update all of the law enforcement forms in use by officers.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

Recently the CDOW and the Department of Labor (DOL) settled a law suit with provisions that affect District Wildlife Manager's (DWM). Under the provisions of this settlement the DWM will be non-exempt, 7 (k) for two 28 day periods that may or may not be consecutive. Under the 7 (k) designation, employees are expected to work a minimum of 160 hours over 28 days and up to 171 hours. During the two 28-day periods, there is no cap on the percent that DWM's may engage in law enforcement activity. For the rest of the year (a little over ten months, or about 80% of the year), DWM's are exempt from overtime, but must work less than 50% law enforcement. Law enforcement is defined as activities directly related to suspected law enforcement violations. Routine contact/patrol is not necessarily considered law enforcement under provisions of the DOL settlement.

The CDOW acknowledge the critical multi-purpose role of the DWM's in the successful accomplishment of the CDOW mission and the need to allow for flexibility and discretion. The CDOW's goal is to ensure that DWM's follow wage and hour laws and minimize the impact to the public and natural resources. The CDOW is in the process to provide a consistent implementation framework for the DWM's and to define meaningful concepts and terms in relation to work for DWM's. Implementation will begin at the start of the fiscal year (July 1st) and will be in effect for the busy law enforcement time frame during the hunting seasons.

Other Special Law Enforcement Issues

During the past year the CDOW experienced several problems in trying to conduct investigations on violators from out-of-state. Colorado, as well as other western states, is a destination place for people wanting to hunt big game such as elk, mule deer, pronghorn and bighorn sheep. Colorado draws a lot of people, especially in the eastern and southeastern parts of the United States to hunt big game every fall.

The problem is two-fold. First, in the past, the CDOW relied on the USFWS to assist with investigations and interviews due to Lacey Act violations committed by out-of-state violators. Due to budget cuts and time constraints on their personnel, the USFWS has cut a way back in their assistance in completing these investigations. Also the CDOW has depended on operating under the federal Deputy Game Warden commission when they send officers to assist USFWS personnel in out-of-state investigations. Without the USFWS being able to assist, the CDOW officers are not protected under the authority of the Deputy Game Warden commission.

The second problem is that a lot of the states that the violators reside in do not have a "mini-lacy" law that makes it illegal to have or possess wildlife in that state if the wildlife was illegally

taken in another state or country. The CDOW would like to encourage all states that do not have such a law to adopt one. The language in Colorado Revised Statute 33-6-109 (2) states: “It is unlawful for any person to have in his possession in Colorado any wildlife, as defined by the state or country of origin, that was acquired, taken, or transported from such state or country in violation of the laws or regulations thereof.” If each state had similar language in their wildlife laws, then violators would have no where to hide!



**FLORIDA
FISH AND WILDLIFE CONSERVATION COMMISSION
STATE REPORT
SUBMITTED BY: JULIE JONES
DIRECTOR
DIVISION OF LAW ENFORCEMENT**



Training Issues

Special Operations Group – SOG personnel have been called upon to provide their services for several recent events. SOG personnel were called out to assist the Florida Department of Law Enforcement and the Suwannee County Sheriff’s Office in the search for a missing child where the wilderness experience of the team was required. The child was ultimately found safe and not in a wilderness environment. SOG personnel were also deployed to provide waterborne perimeter security for the sinking of the Oriskany. The Oriskany is a decommissioned aircraft carrier that was sunk approximately 23 miles southeast of Pensacola as an artificial reef. A SOG training plan has been developed for the upcoming twelve months and will include refresher training and some new courses, such as Urban Search and Rescue team techniques.

Water Response Teams – The Waterborne Response Team (WRT) protocol and team typing document has been officially approved by the Florida Domestic Security Oversight Council and is ready for implementation. WRTs are comprised of local and state law enforcement officers with primarily marine law enforcement assignments. These law enforcement officers are assigned to teams (normally agency-specific teams) based on their individual training and equipment capabilities. The WRT mission is to provide an organized law enforcement response to natural and manmade events along the waterways of Florida.

Hurricane Preparedness – A Disaster Response Plan has been completed and is being disseminated in preparation of the upcoming hurricane season. The plan is a culmination of lessons learned and a guide for FWC law enforcement officers being deployed to natural and manmade disasters. FWC law enforcement personnel participated in numerous exercises around the state with one simulating a major hurricane strike that included having to move the State Emergency Operations Center to an alternate site. A new 27-foot command post trailer is scheduled to arrive in late May and be ready for hurricane season.

Canine (K-9) – Currently, seven dogs are expected to graduate and receive their collar badges on June 2 in Tallahassee. They will then report for duty around the country and hit the ground running. The 98 percent conviction rate on FWC K-9 arrests is impressive, and should help discourage poachers who hide lobsters, ducks, deer, and other resources that are taken in violation of game and fish laws. The dogs find shell casings, guns, knives, bags anything with human scent on it. The FWC hopes to increase training soon to include stone crab claws and scallops, both of which violators tend to stow out of sight when they take more than their bag limit. Florida leads the nation in its number of K-9 officers and the longevity of its program. Fourteen dogs work for FWC, which started K-9 training in 1989 when the agency was known as the Florida Game and Fresh Water Fish Commission. FWC dogs were the nation's first to be certified in wildlife detection in 1997. In ten-week, 400-hour sessions, FWC officers have trained dogs and officers from South Carolina, Indiana, Kentucky, Arkansas, Maryland and Delaware. Federal agencies and New Hampshire plan to sign up for 2007. Three dogs from Delaware and Maryland are in the current class. In the future, FWC trainers hope to train Jack Russell terriers to hunt for evidence on crowded commercial fishing vessels that aren't easy for lumbering labs to navigate.

Funding and Staffing Issues

Staffing Review – The International Association of Chiefs of Police (IACP) is nearing completion of their staffing study and a final document is due June 1, 2006. The study will provide a staffing analysis of our current sworn personnel and a model will be developed to identify future needs. The study will identify the most logical assignment locations and number of personnel needed based on many factors such as population, acres of public lands and miles of waterways.

Law Enforcement Aircraft Replacement – The FWC Aviation Section received legislative funding in 2005 for the purchase of two new Bell Long Ranger helicopters. The two new helicopters will replace two 1970's vintage military surplus Bell OH-58 helicopters in the agency's current aircraft fleet. The new helicopters are being outfitted with avionics and law enforcement equipment to include FLIR 8000 infra-red systems with video downlink capability. These systems were acquired through a U.S. Department of Homeland Security grant received in 2005. The aircraft are scheduled to be placed in service July 2006.

The FWC Aviation Section also received legislative funding in 2005 for the refurbishment of two Bell Jet Ranger helicopters. The two helicopters, manufactured in 1978 and 1991, were completely disassembled, inspected, repaired as needed and reassembled to include new electrical system wiring and new airframe paint. The refurbishment process adds an anticipated 15 years of additional service life to the aircraft.

Law Enforcement Laptops – A 2006 legislative priority to obtain funding for the purchase of laptops for all officers was not successful.

Major Conservation Law Enforcement Trends

Investigation into Illegal Sales of Marine Products – As a result of complaints regarding the illegal purchase of marine species by restaurants and fish markets for public consumption,

Operation “No More Back Door” was established in February 2005. Working with the Florida Department of Agriculture and Consumer Services, regional details were organized and investigators were assigned to target places of business in a covert capacity. Businesses were approached and offered to purchase marine species from investigators posing as unlicensed fishermen.

To date, a total of 90 investigations have been opened. There have been 173 attempts to sell, 53 successful sales, 108 citations, and 9 warnings issued, statewide. In addition to license violations, additional charges include taking fish out of season, possession of undersized fish, and Lacey Act violations. The operation is ongoing and attempts to stop the illegal backdoor sale of marine species will continue.

Cooperative Enforcement Efforts

The FWC, USFWS, and the EPA indicted six individuals with 21 counts of illegally dealing in protected species of migratory birds. According to the indictment, the defendants (all being residents of the Miami-Hialeah, Florida area) unlawfully sold and offered for sale indigo and painted buntings (*Passerina cyanea* and *Passerina ciris*), blue grosbeaks (*Guiraca caerulea*), and Northern cardinals (*Cardinalis cardinals*) during the period of October 24, 2004 through July 11, 2005, in violation of the Migratory Bird Treaty Act, Title 16, United States Code, Sections 703 and 707. The defendants conducted regular sales almost every Sunday, for many months of the investigation, at an informal market on Hialeah Drive. Undercover officers made direct purchases of birds from the various defendants over the course of the investigation, dubbed Operation Bunting. Many of the transactions were video and audio-taped. If convicted, each defendant faces a potential prison sentence of up to two years on each of the trafficking counts, and a possible fine of up to \$250,000 per count. One defendant faces separate potential prison sentences of up to five years on each count on the smuggling Indictment, and a possible fine of up to \$250,000 per count. Mr. Acosta, United States Attorney for the Southern District of Florida, commended the investigative efforts of the Special Agents of the Fish and Wildlife Service and the Environmental Protection Agency, and the Investigators of the Florida Fish and Wildlife Conservation Commission who participated in the undercover investigation, which led to the charges in these matters. The case is being prosecuted by Assistant United States Attorney Thomas Watts-Fitzgerald.

Staff from the United States Fish and Wildlife Service, Georgia Department of Natural Resources, and Florida Fish and Wildlife Conservation Commission held a three-day meeting at White Oak Plantation on the St. Mary’s River to discuss cooperative efforts and matters of mutual concern. General session topics included Hurricane Preparedness, Workforce Recruitment and Retention, Listed Species Issues, and the Future of Hunting and Fishing.

New Innovations in Conservation Law Enforcement

The Florida Fish and Wildlife Conservation Commission’s Investigations Section is currently in the process of procuring a software package that will allow more effective management of our investigative data. The software will provide for the storage and retrieval of case information and intelligence information and is 28 Code of Federal Regulations compliant. It will provide

administrative benefits such as investigative activity and funds tracking. Our ultimate goal with the system is to have our Investigative reporting processes become paperless.

We are also in the process of establishing a Fish and Wildlife Forensics Program, and have created a forensic research and support website to provide investigators updated information on developments, techniques, methods, and operating procedures. It will also provide training workshops related to fish and wildlife forensic applications.

Boating and Waterways Section – In 2005, Florida posted the highest number of boating fatalities in the previous ten-year period (81). An area of critical concern is the rise in falls overboard resulting in drowning. FWC's Boating and Waterways Section is preparing to undertake a public awareness campaign targeting people operating and riding in low-sided boats less than 18 feet long. Following a successful boating safety awareness campaign in Lee County last year that received national attention, the Division is implementing an expanded awareness campaign this summer in Monroe and Miami-Dade counties. These counties continually rank highest in the number of boating accidents each year, and the campaign places emphasis on boat operators staying attentive in order to avoid accidents.

In response to both public and legislative requests, the Boating and Waterways Section took the lead in a major project addressing concerns over noise generated by airboats. Finding that little research existed on the issue, FWC contracted with acoustic engineers from the Florida Atlantic University to conduct a scientific research project to identify the sources of airboat noise and to help find effective measures to reduce sound levels. The final report on the project helped FWC establish an enforcement protocol to require automotive-style mufflers on airboats. An educational effort has also been undertaken to inform all airboat operators in Florida about several other ways, as indicated by the research, they can minimize sound levels generated by their boats.

State, Regional and National Issues, New Legislation

Interstate Wildlife Violators Compact – The House and Senate passed the Hunter Safety, Enhanced Penalties and the Wildlife Violator Compact Bill this year and we are anticipating that the Governor will sign the Bill into law. We have been working on this legislation for the past couple of years. The Enhanced Penalties and Compact portion of the bill came about as a collaborative effort by Florida's outdoor sportsmen who clearly wanted to send a message to fish and wildlife poachers that they are not welcome here. Some of the major supporters of the legislation were Allied Sportsmen's Association, Florida Wildlife Federation, National Wild Turkey Federation, National Rifle Association, International Hunter Education Association, Quality Deer Management Association, Coastal Conservation Association and numerous other conservation organizations throughout Florida. Special thanks also to the Compact Chair, Captain Mike England of Georgia DNR, for his assistance throughout the process.

The passing of this legislation modifies Florida's fish and wildlife penalties to provide consistency among recreational penalties for similar saltwater fishing, freshwater fishing, and hunting violations; increases penalties for those who repeatedly violate Florida's recreational saltwater fishing, freshwater fishing, and hunting laws; increases the penalty for hunting or fishing with a suspended or revoked license. The passing of this legislation will also allow the

Florida Fish and Wildlife Conservation Commission to become a member of the Wildlife Violator Compact, which is currently in effect in 25 states. There is a Board of Compact Administrators which is made up of one person from each member state who is appointed by the head of the licensing authority. Under the compact, if a person is arrested for violating a law that protects wildlife in any of the member states, the person is handled or processed in the same manner as a resident of this state. Being a member state will prevent a person who has had their hunting, fishing or trapping privileges revoked or suspended in any of the member states from engaging in those activities in this state.

Cost Savings Initiatives

Escalating fuel costs have forced Operations to implement strategies to maximize patrol efficiencies. Use of check points at landings and intersections in lieu of extended vessel and vehicle roving patrols, targeted offshore patrols limited to high priority activity, parking some large vessels, vehicle mileage restrictions, and patrolling two officers to a vehicle/vessel have helped mitigate some of the impact.

Other Special Law Enforcement Issues

A new offshore vessel has been added to the FWC fleet to make a total of five large offshore patrol vessels. A vessel dedication ceremony was held in April for the patrol vessel Gladding in Key West. The Gladding is a 55-foot, high-speed catamaran hull vessel, staffed with FWC officers, that was purchased by the Florida Keys National Marine Sanctuary. The Gladding will primarily patrol southern Monroe County to include the Dry Tortugas.

FWC Officer of the Year

The Division of Law Enforcement's 2006 Officer of the Year is Officer Rick Francis. Officer Francis has been with the Commission for 2 ½ years and has already developed a stellar reputation and work ethic. He has demonstrated a performance level above and beyond our expectations for an officer with his tenure. Rick received his Bachelor's Degree in Criminal Justice from Columbia University and is currently working on his Master's Degree. Rick and his wife of six years, Stephanie, have one 3-year-old son and a baby on the way. He is assigned to the Northeast Region.

In the last year, Officer Francis has worked numerous cases, including freshwater and saltwater fisheries violations, alligator hunting, boating under the influence, driving under the influence, boating accidents, sex crimes, and suicide. He successfully concluded a felony investigation that resulted in five suspects being charged with cutting unused, high-voltage utility cable that runs across the marsh for New Smyrna Beach Utility which constituted grand theft in the amount of \$100,000. In April 2005, while visiting a fellow FWC officer in the upper Keys and within hours of being reported stolen, Officer Francis was instrumental in the recovery of a stolen \$200,000 Hatteras yacht and the arrest of two subjects possessing false Documentation Certificates. In January 2005, Rick was the third law enforcement officer to respond to the scene of a domestic disturbance call only to find one Lake County deputy fatally shot and two others with gunshot injuries. He, along with an FDLE agent, was able to clear the house, secure the victims and perimeter, and assist in locating and apprehending the felony suspect.

As a result of his exemplary leadership skills and abilities, Officer Francis has been requested to work special details such as the Hurricane Ivan, Katrina, and Wilma Details, the Summit of Americas Detail, the Columbus Day Regatta, and Dade County Mini-lobster season. In the past 12 months, Rick has written 241 citations, 1,151 warnings, and 2 BUIs. His ratio of citations to warnings clearly shows that he puts a high priority on educating the public on the many laws, rules and regulations that the FWC upholds, as well as proper use of officer discretion.

Officer Francis has completed Radar school, Line Supervision, FTO, Fish ID, Intoxilyzer 8000, and a BUI Inspector course in the last year. Rick received the 2005 Prestigious Officer of the Year Nomination for Crime Stoppers for Volusia, Flagler and St. Johns counties. He was formally recognized for this nomination at the Annual Crime Stoppers Banquet held in Volusia County and presided over by Volusia County Sheriff Ben Johnson.

In his short career with the Division of Law Enforcement, he has been recognized as a leader with a positive attitude. He has demonstrated a selfless devotion to duty, and takes great pride in serving others. He is well respected not only by his peers and supervisors, but by leaders from other agencies.

**AMFGLEO Law Enforcement Committee
State Report- Illinois
By: Galen Westerfield
Director of Law Enforcement
Illinois Department of Natural Resources**

TRAINING ISSUES:

We recently completed our annual training for all our Officer's and training of proper handling and riding techniques of ATV's were taught for the first time. This was the first time we tried having all of our required training in 4 day class sessions. Normally we go throughout the State and give these classes throughout the year. We started out training in February and completed all our Officer's March 31st. The only other training we will have is our 6 month qualification of our weapons.

FUNDING AND STAFFING ISSUES:

Funding is always a challenge every year with our budget process. Our Auto & Op has not changed figures in 3 years. We are currently under a monthly gas allotment. Our overtime has continued to grow due to our manpower shortage. We are currently at 153 sworn Officer's and 18 civilians. This is the lowest we have been since in the 70's. We are scheduled a new recruit class of 15 starting January 2007.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

We are currently responsible for our Homeland Security of our nuclear power stations on the lakes surrounding the plants. We are currently dealing with Outfitters who are coming into our State and buying all the rights to hunt from the land owners. Needless to say they are taking "big bucks" with big bucks and our doe population continues to grow.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

We just completed a 2 year covert operation targeting poaching and various wildlife violations. We obtained arrest warrants and tickets on 24 individuals with great support from USFW and various other states that helped us with the interviews and apprehension of out of state violators.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

Our Agency is going to a Point of Sale system with buying state licenses over the internet and a call in system in which we are getting away from our deer check stations. The jury is still out on this system although it appears there are advantages of this system.

STATE, REGIONAL AND NATIONAL ISSUES. LEGISLATION. LEGAL CHALLENGES AND COURT DECISIONS IMPACTING LAW ENFORCEMENT;

We did not get many legislative proposals this year. We were trying to get fee increases but in an election year it went nowhere.

COST SAVING INITIATIVES:

We recently opened our first Training Academy within 3 blocks of our headquarters. We have room for 30 cadets, a gym, classroom and a separate room for our FATS training. This is a building that wasn't used by the Dept. of Ag so it was a good governmental agency partnership. The academy is being used to house our Officer's when they come to headquarters which is going to save us about \$70,000 in motel accommodations.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

We recently secured a 32 ft. motor home in which we are going to make into a Emergency Mobile Vehicle for emergencies. We are currently negotiating with our Sergeants as they have organized with a union.

**IAFWA Law Enforcement Committee
State Report
Indiana
Lt. Col. Michael Crider, Executive Officer**

Training Issues

We recently acquired M-16 A-4 Patrol Rifles for all officers and were fortunate to be trained in part by active military at Atterbury Reserve Forces Training Area. This included qualifying on a 300 Meter range with pop-up targets. We continue to struggle with Meth. Our officers have made over 50 arrests during the past 6 months. As a consequence we are participating in training on the safe handling of labs and byproducts.

Funding and Staffing Issues

No advances in diversity. We are in the middle of a recruit class in which we will fill 16 vacancies.

Major Conservation Law Enforcement Trends

We are increasingly working on joint investigations with USFWS. I may have a case to discuss at the conference that is nearly finished. We recently worked with ATF on a project in which our officers recorded firearm information on all paper written and then ran the violators through the felon database. It appears that we will have 74 violations ref serious felons in possession of firearms. This was part of the Safe Neighborhoods Initiative.

Unique Cross Boundary or Cooperative, Enforcement

See examples above. We continue to work joint details with surrounding states to address mutual concerns. A recent example is a detail on commercial fishermen on Lake Michigan conducted with Michigan and USFWS where 3 charter boats were found in violation of laws in all three jurisdictions. Violations included overbagging salmon, no fishing license when required, chartering without licenses, lacey act violations and conspiracy.

New Innovations in Conservation Law Enforcement

None noted.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

We have been in battle with high fenced deer operations regarding the legality of hunting cervids possessed for breeding purposes. A breeders permit is the only way an individual may possess cervids in Indiana. We shut those operations down after an undercover operation revealed gross violations of wildlife laws. There has been a subsequent injunction granted to one individual to all him to continue operations pending disposition of his lawsuit. We have placed a permanent

ban by administrative rule against the practice through our commission however if this individual is successful in his suit it will put the whole prohibition in jeopardy. The argument centers around property right and the private ownership of wildlife.

Cost Savings Initiatives

We will be downsizing our patrol vehicles from the Expedition to a Explorer sized vehicle due to fuel costs. We anticipate a 25% reduction in fuel costs based on mileage from our staff vehicles. We may be looking at alternative scheduling to help reduce the number of days worked within a pay period.

Other Special Law Enforcement Issues

None noted.

**State Report – Iowa
Submitted by Lowell G. Joslin, Chief
Law Enforcement Bureau
Iowa Department of Natural Resources**

Training Issues:

Randy Edwards, Assistant Bureau Chief continues to work with our bureau's Field Training Officers always working towards improvement of FTO program. Currently they are reviewing this program and hope to re-tool in time to train our newly hired officers that should be on board by August or September.

We had the opportunity to host a BWI training program this past year and by all accounts it was great in helping to improve officer and their techniques and confidence used in detecting drunks. This program went well and I would recommend it to any state...just contact NASBLA for your next opportunity to host this training program.

Funding and Staffing Issues:

August 2005 our Turn In Poachers (TIP) program reached its 20th anniversary. In an effort to celebrate and mark that occasion Steve Derrmand our program coordinator worked to create a voluntary initiative which allows license buyers to contribute \$2 directly to the private Turn In Poachers organization. During the first week of this initiative more than \$400 was contributed and after 6 months we gave the TIP organization a check for \$10,000. This money will be used for rewards to informants on successful poaching cases and for promotional material to help increase the public's,

We currently have a vacancy announcement posted to fill 5 Conservation Officer positions. When these officers are on board we will still be down 4 positions from where we have been in the past.

Our Conservation and Recreation Division was fortunate to have the following new positions approved:

1. Administrative Assistant for our Law Enforcement Bureau – this is one staff person that will work solely on providing support for our bureau efforts...it's been a long time in coming and overdue;
2. Boating Safety and Education Coordinator – this person will work in our Law Enforcement Bureau and help to build a cadre of volunteer instructors and help to promote and expand our boating safety program.
3. Shooting Sports Coordinator – this person will work closely with our bureau staff, but will be directly supervised by our Wildlife Bureau Chief and will work to expand our partnership with shooting sports programs (4-H, high school programs, etc.) and will work to improve our shooting range program.
4. Water Trails Coordinator – this person will work for our Assistant Division Administrator and work closely with our Recreational Trails Coordinator and work towards building a water trails program.

We were able to legislatively increase our boat registration fees (last increase was 24 years ago) and it was a real fight to get even small increases. The good news is that when the increase comes through (spring of 2007) our bureau should see an increase to its budget that will be approximately \$480,000. That money will help our boating education program and give us more money for replacement patrol boats and motors.

Major Conservation Law Enforcement Trends:

During the past year our bureau has been challenged to take on supervision of our Snowmobile and All-Terrain Vehicle Grant program which brings one staff person that coordinates both programs. Our snowmobile works with local clubs (currently 41 active clubs) with approximately 7,500 miles of trails in the state of which 5,000 miles are actively groomed. Our snowmobile program has remained fairly static for many years and it seems to maintain itself well.

However, our ATV program has been growing. We currently have 21 active clubs and have seen the number of registered machines grow from 27,000 in 2003 to nearly 50,000 in 2005. We currently do not have any ATV trails throughout the state, but do have 8 parks for riders to use. These 8 parks have a total of 1,961 acres. Demands from users and our statewide Off-highway Vehicle Association continues to grow. Some towns in Iowa see economic benefit to having an ATV park in the area. As the program continues to expand so does the demand for our officer's time to work ATV issues. That time has to come from somewhere and that means less time for boating, fishing, and hunting patrol. We have attempted to utilize part-time seasonal patrol officers and for now it seems to work, but the needs for enforcement at these ATV parks, if they are of any size, seems as though they may require a full-time enforcement presence. We need to spend time planning for the future needs of this program and determine what is best for it and us.

Unique Cross Boundary or Cooperative, Enforcement Efforts:

We need to find time to work with neighboring states on the exchange of our electronic license information. We were successful working with Missouri on making many dual-residency cases. It's time to begin planning another similar operation.

New Innovations in Conservation Law Enforcement:

Nothing specific to report.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement:

We found ourselves putting a night-time speed limit on all lakes in Dickinson County, our north-west lakes country area. We had some major accidents with lots of publicity and local pressure seemed to demand a night-time speed limit, so we instituted a 25 mph speed limit from ½ hour after sunset to sunrise. Demand for increased boat patrols continues to rise. We do not have the staffing for 24/7 boat patrols even though local pressure keeps pushing for such.

Staff has been working hard on revising our boat dock regulations for over a year now. We have had many obstacles to overcome and we hope that our hard work will come full circle with new regulations being in place by the next dock season (January 2007).

Cost Savings Initiatives:

Nothing specific to report.

Other Special Law Enforcement Issues:

Nothing specific to report.

AMFGLEO Law Enforcement Committee
State Report -- Kansas
By: Kevin Jones
Director of Law Enforcement
Kansas Department of Wildlife and Parks

TRAINING ISSUES:

Training continues to be a primary concern. Two years ago the Department underwent a reclassification process for the majority of employees. As part of the reclassification process, an instructor level position was created. While the grade difference between a field level officer and an officer who has primary training responsibilities is only one pay grade, it does provide limited recognition for an officer who is willing to take on the added responsibilities as a primary training officer. The staffing of these positions is divided between the officers of the Law Enforcement Division and the Park Rangers within the Parks Division. As training officer vacancies occur, the promotion of eligible officers is becoming more complex, especially when trying to maintain a balance in instructor numbers between the Divisions.

More emphasis is being placed on tactical firearms and custody/control training. The movement toward more situational, critical thinking based training has been well received by the officers. Most recently the officers were exposed to tactical firearms training in boating situations. Instructors from the Oklahoma Department of Wildlife Conservation and the Oklahoma Highway Patrol, Watercraft Enforcement, provided the training program. Kansas instructors were provided a session of train-the-trainer, and then provided the course to the field officer under the supervision of the Oklahoma officers. While Kansas has provided some limited firearms training based from watercraft, this program was more intense training with an excellent critique process.

The Division's intention is to provide more intensive training in the area of practical, tactical courses, along with more in-depth, hands on training in other areas such as crime scene investigation and case preparation.

FUNDING AND STAFFING ISSUES:

Funding is becoming a more concerning matter in light of the dramatic increases in fuel and vehicle maintenance. Department income is basically flat-line over the past five years, with no significant increases in revenue expected. There is concern over the effects that increasing fuel costs will have on hunting and fishing participation. While a license fee increase is logically one way to try and solve the matter, there is some concern that adding to the costs of licenses and permits in combination with increasing costs for hunters and anglers to travel may serve to further decrease outdoor participation.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

The Kansas Department of Wildlife and Parks is becoming more involved in other areas of law enforcement and emergency response. As the state is involved in more intensive planning for emergency situations, the Department is more frequently recognized as an important support resource. The Law Enforcement Division is being asked for input into the statewide emergency response effort along with participating in environmental enforcement efforts which heretofore have been the responsibility of other state agencies.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

Division officers continue to develop more cases involving interstate participation from both federal and state jurisdictions. A more concerted effort is being placed on case prioritization, focusing on the more significant resource threats. Joint projects across state boundaries have been implemented over the past year, with more anticipated in the coming months.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

While case management is certainly not a new innovation, the Division is implementing a new computer based case management and tracking system later this year. The system being implemented is a variation of a system developed for smaller Kansas law enforcement agencies that do not need some of the features packaged in other systems, such as jail management components. The Division is additionally going to expand intelligence information gathering and tracking through the use of resources provided by the Midstates Organized Crime Information System, a RISS project, and the Kansas Bureau of Investigation. The Division is also developing a Law Enforcement Web Portal system that will allow security cleared officers access to a wide array of law enforcement related records and resources. The primary emphasis is to provide more information and reporting options to officers through computer based systems.

STATE, REGIONAL, AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT:

Overriding the Governor's veto, the Kansas legislature enacted a concealed carry law for the citizens of Kansas. The state legislature continues to bring forward bills that would severely affect the fiscal resources of the Department. In particular bills were introduced during this past session that would have waived fee requirements for any veteran of military service who is issued any license or permit. While a provision was implemented two years ago that reimbursed the purchase price of a license or permit to members of the Kansas National Guard from State General Funds, the newest concept did not include reimbursement provisions.

The Department is still in litigation over whether the Department's license and permit issuance practices are discriminatory toward non-residents. While two of the four original counts have been dropped, the remaining two are still active.

COST SAVING INITIATIVES:

Because inflationary operating expenses are outpacing revenue incomes, the Department and Law Enforcement Division are searching for ways to meet the needs of the resources and public. While no specific strategy has been formulated as of yet, priority planning is being given to this matter.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

The Department is currently involved in a meet and confer process with non-supervisory, field officers. While this process is not the same as collective bargaining, it does provide officers the opportunity to negotiate certain aspects of their employment. The officers are represented by the Fraternal Order of Police. At the time of this report, specific areas for negotiation have yet to be provided as the process is just starting.

The Division is reviewing the hiring process for new officers and promotions. There is a need to address the new hiring preference provisions mandated by the Division of Personnel Services. The new provisions create question about degree requirements and the substitution of related work experience in lieu of a degree.

**IAFWA Law Enforcement Committee
Manitoba
Provincial Report
Submitted By: Colin Merritt**

Training Issues

Historically, most training has been conducted in house by our officers. In the last few years it has been increasingly more difficult to find officers willing to take on this extra burden due to staff shortages and increased work loads. Requests for additional staff to fulfill the role of trainers have not been approved so at the moment the plan is to convert 5 field positions to regional trainers. Not the best scenario but if we can't get full time trainers we will not be able to meet our legal obligations for training.

This spring, for the first time, our Seasonal Officer Orientation Course was contracted out to a Community College in northern Manitoba. Our officers still conducted the Defensive Tactics and Handcuff training. On the surface this seems to have been successful, however, a full review has yet to be conducted.

Funding and Staffing Issues

Funding levels continue to be a problem which has been compounded due to the increase in fuel prices.

Recruitment and retention of officers in all levels has been getting increasingly more difficult. Again this year we have had numerous vacancies in our entry level Park Patrol positions and it appears we will be going into the summer with numerous vacancies at the Assistant Resource Officer level. As well, we have not been able to fill all the vacancies in the Natural Resource Officer (NRO) or District Supervisor levels. Presently there are two District Supervisor positions that we have not been able to fill even by promotion in the last two competitions. Another competition is ongoing at the present time and we are hopeful that these positions will be filled.

Workload has increased to the point that we can no longer provide adequate service to the public. Due to being a multi-disciplined agency our officers are involved in all aspects of resource management as well as enforcement. Officers are finding it increasingly difficult to remain competent in all aspects of the job which has a negative impact on performance and officer morale.

Due to a Workplace Health and Safety complaint the responsibilities of our Park Patrol Officers has been drastically reduced. They will no longer be able to initiate park evictions nor will they be able to make arrests or work without the direct supervision of a Natural Resource Officer or Assistant Resource Officer. The slack is going to have to be picked up by the NRO's which will strain our staff even farther.

An initiative is under way to create a "Park Superintendent" position at Falcon Lake District within the Whiteshell Provincial Park. This position will take over the administration of the park thereby removing the duties from the Natural Resource Officer allowing him/her to concentrate on enforcement within the district. If successful there are plans to expand this initiative to some of our other major park districts

Major Conservation Law Enforcement Trends

Illegal sale of fish, primarily walleye, is still an issue. Lack of specialized staff and complicated fisheries legislation has compounded this problem. Over the last year increased emphasis has been placed on the Lake Winnipeg fishery in an attempt to curtail the illegal sale of fish.

Unique Cross Boundary or Cooperative Enforcement Efforts

Nothing to report

New innovations in Conservation Law Enforcement

A new prosecution and occurrence computer reporting system is being developed by our HQ staff and IT people. Due to staff changes and workload it is not progressing as fast as first anticipated. Hopefully it will be out into the field by the spring of 2007.

STATE, REGIONAL, AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT:

The effects in Manitoba of the Supreme Court of Canada Pawley Metis decision have not been determined as of yet. At the present time, Manitoba does not recognize any right to harvest fish or wildlife for food by the Metis people. There are numerous post Pawley court cases ongoing which will hopefully determine Metis rights, if any, in Manitoba

Cost Saving Initiatives

Nothing to report

Other Special Law Enforcement Issues

Rowdyism in some of our major Provincial parks has increased to unacceptable levels placing our officers and the public at increased risk. A season long liquor ban at Grand Beach Provincial Park was rejected by the Department at the present time until consultation with park users can be conducted. This issue is exasperated by the decrease in Park Patrol Officer duties described earlier in the report. A reduction of the total number of campsites has also been proposed. Discussions on this and other initiatives are on-going. Recently the authority to evict a person for 21 days or ban them from provincial parks for up to a year was added to *The Provincial parks Act*. This is only the second season of this initiative so it is still too early to see if it will help. We are hopeful!



**Michigan Department of Natural Resources
Law Enforcement Division
IAFWA Law Enforcement Committee
State Report
Submitted by: Chief Alan Marble**

Training Issues

Since 2001, the Michigan Department of Natural Resources (DNR) Law Enforcement Division (LED) has developed various innovative training programs such as:

Combination Training

Prior to the development of the combination training idea, conservation officers (COs) were required to travel and attend mandatory training as much as 12 different times throughout the year. Much of the time was "windshield time" spent traveling to various locations for what often turned out to be only three or four hours of actual hands on training at any one session.

In an effort to improve quality and consistency of training, as well as eliminate excessive travel, the idea of combination training was developed. This approach consolidated all mandatory training to a two day block in which firearms, survival tactics, first aid, critical issues, legal updates, and LEIN examinations were all accomplished in one setting. Three designated training sites were established in various geographic locations with COs scheduled to attend by the LED's Training Section. Courses ran simultaneously with COs rotating through each training module. All mandatory training for the entire year was accomplished in four days.

As a result, overall travel time was reduced, training costs were reduced, and consistency of training was increased.

Restructuring of the LED Training Section

As a statewide agency, often times consistency in training varies from one end of the state to the other. In previous years, the Training Section had two sergeants and a lieutenant assigned to Lansing headquarters. Opportunities to observe field training, ensure consistent application, interact with COs, and receive feedback on current training were limited with this structure. In addition to the introduction of Combination Training, the LED Training Section was restructured to incorporate two field training specialists and reduce the number of sergeants at the Lansing Division office.

The training specialists assist with the design and implementation of mandatory training as well as train internal candidates as instructors. Travel is an important component of the specialist positions. Consistency and quality of training has improved greatly due to their direct interaction with the COs at mandatory training sessions. This structure also allows for immediate feedback from the COs regarding training needs and how to improve programs.

Fit for Duty

It is recognized that law enforcement work is a physically demanding job, often requiring particular physical capabilities to determine the successful outcome of life and death situations. While the work of a CO parallels other law enforcement agency duties, the daily physical activities required of a CO are considerably more demanding. This is evident in, and supported by CO daily activity reports, essential job functions for Michigan Conservation Officers, and the CO physical activity questionnaire. The demands on a CO's body are often extreme and the ability to withstand such demands requires the CO to stay in the best physical condition possible. This benefits the CO by keeping them healthier and increases their opportunity to enjoy retirement due to a likely reduction of stress and duty incurred injuries.

The Fit for Duty (FFD) program is mandatory for all commissioned COs hired after October 1st, 1999. Mandatory participants must take and successfully pass the FFD physical fitness standards exam yearly. All supervisors, regardless of hire date, must participate in the FFD program to the best of their ability, but are not required to pass the minimum standards. Supervisors are the leaders of LED and as such are expected to promote the Division's programs and philosophy.

In 2002, LED implemented the Division's FFD program. The Training Section coordinates testing dates with each of the ten districts in the state and provides testing equipment, trains Cooper fitness specialists, and exercise related incentives to encourage and reward participation. The program has been very successful in promoting fitness and healthy lifestyles. Each year, participation has increased from 85 officers in 2002; 103 officers in 2003; 123 officers in 2004; and 153 officers in 2005.

Trapping School - September 24-29, 2006

2006 will be the first year for this training program. The week long format (loosely based on our successful waterfowl school) will accommodate approximately twenty (20) officers. The Training Section established a committee of veteran officers with considerable experience in trapping and enforcement to organize the upcoming school. Many committee members were graduates of the trapper's college in LaGrange, Indiana. The course will consist of classroom, hands on, and species identification.

Funding and Staffing Issues

Funding

The downturn in the State's economy and increases in salary and wages and related costs have limited LED to maintaining current staff and its corresponding operations. Federal and state audit findings have limited LED's flexibility in fund usage. Static fish and game revenue and increasing competition for the same dollar have caused a shortage of funds. These funding issues have been accommodated by retirements/ departures and delays in hiring. Here are some of the current funding issues:

- The continued loss of general fund has resulted in less flexibility to respond as a law enforcement agency.
- The pending loss of game and fish revenue has prompted the development of an alternative enforcement plan. Loss of this revenue would change the focus of enforcement efforts.
- In addition to the general game and fish revenue, associated sub funds are also in a structural deficit. Loss of the Wildlife Resource Protection funding may result in a decrease of ability to perform in-depth/large scale/multi-jurisdictional poaching investigations.
- Increases in ORV and snowmobile funds were received to cover the increasing enforcement need over these activities. In addition, these funds were mandated to take on an appropriate share of overhead costs.
- Non-traditional alternative funding sources are being tapped to meet the needs of the Division.
- A very large increase in United States Coast Guard funding has helped offset the loss of state marine funds. However, this is another shift away from the traditional fish and game focus of this agency.

Accomplishments

- Park Improvement and Forest Recreational funding sources were tapped to help cover the costs for the growing responsibilities of the communication center.
- Negotiations are on-going to apportion federal NOAA money to help cover the cost of coastal zone management in the Thunder Bay National Underwater Preserve.

- A Game and Fish task force was created by the Natural Resource Commission to address the funding shortfall and address inflationary increases for future needs.
- Increases in the ORV trail improvement fund was accomplished through executive budget team meetings and negotiations and presentations to the ORV advisory board.

Staffing

Due to a lack of funding, inflationary increases in expenditures and the flat line of some revenue sources, staffing has suffered. LED is near an all time low in both field conservation officers and civilian support staff. The decision to operate and staff shooting ranges and increase the role of the communication center has also affected the number of commissioned field personnel.

Accomplishments

- Due to focused decision-making and creative budgeting, a 25 recruit academy is on schedule for a September 10, 2006 hire date. Obtaining the support of the Department's Management Team was crucial for this to occur.
- The Department created a License Fee Package work group to work to renovate our licensing fees and system and to research possible long-term funding concepts.

Diversity

The Division recognizes the need for a diverse workforce. Field conservation officers, acting as the first line of the recruitment effort, are encouraged to actively recruit in diverse communities.

Accomplishments

LED is the most diverse resource division in the Department.

Major Conservation Law Enforcement Trends

In FY 2005, LED, in association with Wildlife Division, concluded an extensive audit into the captive cervid industry. LED provided training and assisted in investigations of non-compliance. The concern was the potential threat of disease to Michigan's wild free ranging deer herd as seen with neighboring states. The primary objective of this audit was to see what the compliance rate was amongst the industry. Several search warrants were executed on facilities being operated and unwilling to submit to an inspection or who may have chosen to not become in compliance with industry standards.

A new permanent position was established in the Commercial Fish Enforcement Unit solely to oversee commercial fish related industry investigations. This investigator will focus mainly on issues dealing with the over harvest of commercial species. We have found that as with any commercial enterprise, there is the potential for abuse. Much of this type of illegal activity can be identified by trained investigators who are able to concentrate their efforts on the specific problem.

Unique Cross Boundary or Cooperative Enforcement Efforts

The Special Investigative Unit (SIU) concluded a two year undercover operation with the Ontario Ministry of Natural Resources where bear guides in Ontario, Canada were suspected of illegal activity and selling protected animal parts to individuals in Michigan and other areas of

the United States. Prosecutions are still pending on several individuals for violations of Ministry of Natural Resources regulations.

On October 1, 2005, Michigan became the 20th state to enter into the Interstate Wildlife Violator Compact. The SIU is involved with the initial phases of its implementation. The Interstate

Wildlife Violator Compact allows participating states to give additional privileges to its members as well as honor license revocations by other states.

COs out of the District 10 Livonia office worked with Canadian officials, the U.S. Coast Guard, U.S. Border Patrol, Federal Bureau of Investigation, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, Michigan State Police, Detroit Police Department, and Wayne County Sheriff's Department along the Detroit River system on several high level homeland security details, to include security during the Major League Baseball All-Star game. These cooperative efforts were not only successful regarding their primary objectives, but were also beneficial to the protection of our natural resources and produced several outstanding resource cases.

District 10 officers also worked in conjunction with U.S. Fish & Wildlife, U.S. Border Patrol, and Canadian officials on several illegal waterfowl cases. These cases included over-limits, illegal means of take, illegal possession tagging/I.D., and license violations.

COs out of the District 12 Plainwell office worked with Indiana Department of Natural Resource officers and U.S. Fish and Wildlife agents in a joint Lake Michigan detail targeting the illegal taking of fish in Michigan out of season, over-limits of fish in both Indiana and Michigan, and illegal charter boat activities. The detail and cooperative efforts were a huge success, resulting in multiple state charges in both Indiana and Michigan ranging from over-limit cases to charter boat violations, and federal district misdemeanor charges for Lacey Act violations.

The District 11 East Lansing office facilitated and District 10 hosted the annual Michigan, Indiana, Ohio Conservation Officers Association (MIO) at the Cabela's store in Dundee. All states were represented along with U.S. Fish & Wildlife and U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives. The meeting was both fraternal and informative, with much information being shared and discussions on joint enforcement efforts, to include the ground work for the aforementioned joint Lake Michigan patrol.

COs out of the Newberry District 4 office received information from an Ontario, Canada officer in August of 2005 that a First Nation member was gill-netting in the Michigan waters of Whiskey Bay. A pre-dawn surveillance and apprehension patrol was organized and executed using patrol boats and personnel from both sides of the international boundary. The suspect was observed tending the net in Michigan waters, was arrested and lodged in Michigan. The boat, motor, net, and a small quantity of fish were seized.

In November 2005, acting on information supplied by the DNR Forest, Mineral, and Fire Management Division, District 4 officers participated in a patrol regarding three specific long-term trespass cabins in remote state-owned wilderness on Drummond Island. Because of Drummond Island's proximity to the international boundary, the U.S. Border Patrol was briefed and they supplied three agents to participate in the patrol. Michigan State Police provided a trooper to assist in the November 14th apprehension patrol. All camps were occupied; nine

suspects were apprehended. It is believed the camps had been in place for a minimum of 22 years to more than 40 years. All camps have since been removed.

Also in 2005, District 4 officers worked with the U.S. Border Patrol and U.S. Customs on joint patrols on the St. Mary's River regarding illegal trafficking of people and/or drugs. This was done while performing normal marine patrols.

The Superior 1000 Snowmobile Race touched off a flurry of inter-state/provincial coordination and planning and exchange of information. Most of it ended up shelved when the race was cancelled after the first day.

Innovations in Conservation Law Enforcement

As in previous years, we have observed the steady use of the internet by the criminal element. Most of the violations involve the illegal trafficking and sale of protected and endangered species. Investigators have also handled complaints dealing with the sale of shipwreck artifacts that were pilfered from state owned bottomlands. This year our Special Investigative Unit (SIU) was engaged in five (5) internet related investigations.

LED has also attempted to stay on the cutting of edge technology in such arenas as forensics in law enforcement. The SIU pioneered an isolated LED DNA data base and provided training and collection kits to field officers around the state.

This DNA data base allows officers to determine general demographics on harvested animals. With the assistance of the Wildlife Division's forensic lab, we have mapped the DNA in our data in order to determine whether a specific animal was harvested in a certain region of Michigan (such as upper peninsula vs. lower peninsula).

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

Several legislative actions relating to Natural Resource law enforcement took place in Michigan during 2005. These are highlighted below.

PA 326 allows DNR COs, in addition to state police officers, to serve civil process in any action to which the state was a party. Prior to this legislation, DNR COs could not arrest and hold subjects who had civil warrants issued for their arrest. This was important to our officers as more and more of our regulations are becoming decriminalized.

PA 52 of 2005 increases the penalties for violating a quarantine issued by the Department of Agriculture to stem the spread of an exotic pest or plant disease. The recent introduction of the Emerald Ash Borer into Michigan has proven to be devastating biologically, aesthetically, and financially. The state has already destroyed several million ash trees, and the costs related to eradicating the EAB has been in the millions of dollars for the government, private, and business communities. This act and DNR Commission orders prohibit transportation of deciduous firewood outside quarantined areas and increased penalties to prevent the spread of EAB to areas outside the quarantine areas.

PA 111 of 2005 prohibits computer-assisted shooting with a bow or crossbow and establishes misdemeanor penalties for computer-assisted shooting violations both with a bow and with a firearm. This legislation supports hunters across the counties that are supporting bans on what they consider to be an unsportsmanlike practice. The concept of hunting requires real people in real time, since hunting, by definition, describes people who go into the forest or wild range and stalk their game by tracking. The challenge of the hunt resides in the chase, and in understanding nature and terrain, not in the kill. In contrast, remote-controlled hunting values killing rather than hunting.

PA 77 of 2005 was enacted to slow the introduction of invasive, non native fish, aquatic plants, and insects. It amends Part 413 to regulate the possession and release of certain invasive species of aquatic plants and insects, and establish the Invasive Species Fund. The act includes a list of "prohibited species" of fish that a person is prohibited from possessing or releasing. The bill would re-label the list of fish as being "prohibited fish species" and add definitions for "prohibited aquatic plant species" and "prohibited insect species."

PA 117 of 2005 allows hunters and fishers to donate \$1 to the Sportsmen Against Hunger Program when they apply for a license. The donation would be in addition to the license fee. The DNR would use the fees to implement a program to distribute wild game to people in need. The intent of the legislation is to generate, through donations, sufficient revenue to pay for the gathering, processing, and distribution of donated game.

Two bills are progressing through the legislative process that, if both are enacted, will lower the age for small game and turkey hunting to age 10, big game hunting to 12, and create an apprentice hunter program.

Michigan continues to fight possible introduction of disease into our wild deer herd by enforcing laws pertaining to the importation of cervidae, both alive and dead. This is a cooperative effort along our borders with neighboring states and with our own Agriculture Department.

Michigan is continuing its efforts in full implementation of the Violators Compact with the growing list of member states.

Early in 2006, the U.S. Supreme Court decided not to hear an appeal from property owners of the Michigan Supreme Court ruling upholding the right of the public to walk on the private beaches of the Great Lakes. The state court had ruled in a 5-2 decision in 2005 that shoreline below the normal high water mark fell under the public trust. The majority had said there were limits to the activities allowed on that land, but said property owners could not prevent access.

Michigan is currently waiting for delisting of the grey wolf from the Federal Threatened and Endangered Species list. In 2005, the USFWS was actively engaged in removing the wolf from the list in the Eastern Distinct Population Segment after it was down-listed to threatened in 2004. Michigan has sustained its recovery goal of more than 200 wolves for five years and currently has an estimated population above 400 animals. A federal law suit in 2005 forced the USFWS to re-list the wolf from threatened to endangered until they could modify the borders of the Eastern DPS to satisfy the court ruling. This ruling affected de-listing efforts in

Minnesota and Wisconsin as well. New boundaries for the Eastern DPS have been established, and the effort to de-list is now back on track. Under Michigan law, if an animal is listed federally it is automatically on the state list. An effort is underway in Michigan to update its management plan utilizing a round table of interested and effected groups and agencies.

Cost Savings Initiatives

Leveraging Purchasing Power

- Using federal government (GSA) contracts to purchase goods. The General Services Administration bid process assures the federal government the lowest price available from vendors. The use of these contracts is extended to state agencies with the vendor's agreement. LED is using these contracts on larger purchases, especially on large boat purchases.
- Using surplus equipment as trade for new equipment. LED often lowers the initial acquisition cost of new equipment by including surplus equipment as part of the bid package, often to the point of attaining a zero cost purchase for new equipment. Recent purchases include boats, ORVs, snowmobiles and handguns.
- Using grants to supplement funds. LED applies for grants to specifically be used for equipment purchases. Recent purchases include:
 - Body Armor - The replacement of body armor for all COs was supplemented by a 15% reimbursement from the Department of Justice.
 - ORVs - Through a DNR Recreation Improvement Fund grant, LED received a 50% match for purchasing new ORVs.
 - Night vision, thermal imagers and other night operations equipment – LED received a \$100,000 grant to purchase various equipment to enhance nighttime marine operations from the Department of Homeland Security.
- Accepting gifts of money and equipment. Various constituent groups and trade associations support LED's programs through donations. Firearms simulators, deer and turkey decoys, and archery equipment are examples of equipment donated or purchased with donations.
- Introducing just-in-time purchasing for inventory. LED maintains a uniform inventory. Items formerly stocked in inventory are now purchased on demand, reducing the cost of inventory, shipping, and storage.
- LED is exploring leasing of snowmobiles and personal watercraft as a means to save money and assure regular replacement. Leasing will allow greater efficiency to manage cash flow and vehicle life cycle.

Fleet Management

LED's greatest expense after salaries and wages is its fleet of patrol vehicles. Through effective fleet management, costs are contained or reduced.

- Vehicle and equipment specifications are updated annually to assure vehicles have needed functions and features without adding extras that increase cost.
- Vehicle life cycle is monitored to assure replacement occurs when repair costs begin to exceed vehicle value. When appropriate, replacement is delayed. The life cycle and depreciation schedule have been increased on average by six months.
- Emergency equipment such as lights and sirens are not purchased, but are rolled into the lease rate and depreciated over the life of the vehicle.

- Excess and spare vehicles are kept to a minimum.
- Emergency equipment and radios are standardized across the fleet to allow reuse in other vehicles and recycling of equipment into new vehicles.
- Fuel is purchased through a state fuel contract that requires vendors not to charge state taxes on the purchase.
- Vehicle repairs are centrally managed to direct drivers to repair facilities offering discounts to the state for services.

Savings through Employee Cost Reductions

- LED has numerous vacancies in both field and staff positions. Current vacancies are nearly 25% of the total Division work force.
- The State initiated a banked leave time program that paid employees for 76 hours for every 80 hours worked. The four unpaid hours were banked to be used as unpaid vacation time or to be rolled into the employee's retirement account upon retirement. This program was in effect for two years.
- Furlough days - During fiscal year 2004, employees were mandated to take 40 hours of unpaid leave.
- Benefit reductions - The State of Michigan has initiated numerous cuts to benefits to contain increases in insurance costs.
- Reduced and eliminated staff training and employee tuition reimbursement.

Other Special Law Enforcement Issues

Pay and Benefits

Once having pay parity with the Michigan State Police, LED's personnel no longer share this parity. In fact, pay for DNR COs with the same rank and similar duties is significantly lower than their counterparts in the State Police ranks. The CO no longer has a law enforcement retirement of 25 years with 60% or spousal benefits without reductions as the State Police do. This has had a negative impact on recruitment of entry level conservation officers.

Officer Safety Concerns

Reduced officer numbers stretch the "thin green line" and present possible safety concerns due to solo patrols and reduced back-up ability and increased time for back-up response. The proliferation of clandestine methamphetamine labs creates a new and doubly dangerous hazard for COs and sportspersons. The number of "clan" labs has doubled in rural Michigan in one year.

Federal Money for Homeland Security Requirements

Federal money is available to most law enforcement agencies for fulfilling homeland security and emergency response requirements. Because of wording in legislation, LED is unable to recoup money expended in fulfilling required homeland security functions.

Outreach

- LED's Hunter Education Section utilizes recruitment programs to bring non-traditional groups into the sport of hunting. Most recently, specialized hunter education instructor workshops geared toward women were held to bring more women into the ranks of hunter education instructors.
- Major emphasis is being placed, both departmentally and divisionally, on re-establishing our constituency contacts and creating new markets and user groups.

Accomplishments

LED signed an MOU with the Archery Trade Association and have hired a coordinator for the National Archery in the Schools Program.

Hunting Incidents

In 2005, hunting casualties were at an all time low. In 2003, there were 35 casualties of which 2 were fatalities; 19 of these, including 1 fatality, were during the firearm deer season. In 2004, there were 33 casualties of which 2 were fatalities; 15 of these, including 1 fatality, were during the firearm deer season. In 2005, there were 22 casualties of which 3 were fatalities; 10 of these, including 2 fatalities, were during the firearm deer season.

State Report – Minnesota
Submitted by Colonel Michael R. Hamm - Chief
Director of Law Enforcement
Minnesota Department of Natural Resources

Training Issues:

The February 2006 Academy of 18 brings our Division within 6 Officers of our overall need of which 4 of these 6 Officers are within the full 154 Field Officer Station compliment. We have found 18 is the number which we can adequately handle through all phases of the hiring and training process. If we go over this number we place too large of a burden on all of the Officers and Supervisors involved in the process.

The focus on Officer training for existing staff continues to meet mandatory course obligations, range firing, as well as specialty courses dealing with traditional Game and Fish issues. Our Officers are extremely involved in the hiring and training process and this involvement puts a huge strain on our workforce as these tasks are in addition to their normal fieldwork.

Officers and Supervisors are involved in all portions of the hiring and training process, to include sitting on oral interview panels, conducting background investigations, instructing at our 12 week academy, and during the 12 week Field Training Program.

Once we fill the majority of our vacancies and complete the Academy class of 2007 we will focus on a training program for veteran Officers. We need to continue to find ways to pass on the institutional knowledge we have been losing to retirements over the years.

Funding and Staffing Issues:

We are planning on being fully Staffed in February 2007, which is a full Division complement of 204 Licensed Conservation Officers.

Major Conservation Law Enforcement Trends:

A large trend in Conservation Law Enforcement today is the increased workload in enforcing recreational vehicle laws. ATV's, OHV's, and OHM's usage and problems have called for work hours from the Conservation Officers in the state of Minnesota. Hours worked on these recreational vehicle issues have increased significantly in the past few years along with the necessary funding. We plan on maintaining our traditional Game and Fish Enforcement work (65-72% of our overall work).

Unique Cross Boundary or Cooperative Enforcement Efforts:

Minnesota Conservation Officers share responsibility for enforcement of recreational vehicle laws ATV's, OHV's, OHM's, Snowmobiles, and Watercraft regulations with local Law Enforcement Agencies, (State Patrol, County Sheriff's, Local Police) when these types of vehicles are operated in their jurisdictions. The Enforcement Division continues to take a lead role in training Law Enforcement Departments in the enforcement of recreational vehicle regulations and have had numerous opportunities to work joint projects with them. The Division of Enforcement administers a grant program to County Sheriff's to fund some equipment and some hours worked on recreational vehicle enforcement issues. By doing this it appears to have some ability to influence how County Sheriff's work recreational vehicle activity.

Under Minnesota Law 626.94 the Minnesota Department of Natural Resources, Enforcement Division entered into a Law Enforcement agreement with the 1854 Indian Conservation Enforcement Authority Joint Powers. This has proven to be very effective with the creation of their own Law Enforcement Agency and no longer needing to be licensed peace officers under the Minnesota Department of Natural Resources.

New Innovations in Conservation Law Enforcement:

New Innovations utilized by the Enforcement Division of the MN DNR have consisted of utilizing the assets of our support operations sections.

The MNDNR Enforcement Division has it's own **Public Information Officer** who's salary has been more than paid for through the positive media generated for the Division with stories and articles that always promote the Division and the good work Officers do.

The Division's **K 9 program** continues to serve with some costs of the program being sponsored without the use of State funds. This program has been an asset to the Division and has generated very positive publicity.

The Division's Specialized **Wetland Enforcement Section** continues to be a one of a kind Program designed to enforce the states Wetlands Conservation Act and protect the states wetlands. This past year we conducted aerial surveys with our own **Conservation Officer Pilots** to detect Wetland violations.

Our **Snowmobile Task** force utilizes experienced Officers to concentrate on high use areas of snowmobile activity and reduce snowmobile violations.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resource Law Enforcement:

On August 29th 2002 the Minnesota Supreme court ruled that occupants of a fish house or shelter have the same 4th amendment rights when it comes to search and seizure that they would have in their home. Previous to this decision Minnesota Conservation Officers could inspect a Fish House (Shelter, Ice Shanty) and it was a violation to deny a Conservation Officer entry into the Fish Shelter to inspect. Since 2002 our Officer have seen an increase in the number of refusals they receive when trying to check the states fishing regulations during the winter ice fishing season. Beginning with the 2005-2006 Ice Fishing Season the Division has documented refusals. This issue is one that is very detrimental for moral and is frustrating to Officers who are literally handcuffed in their enforcement of the winter fishing regulations.

Minnesota Legislature Convened on March 1, 2006 and Adjourned on May 21, 2006.

Several Policy Bills were passed during the Legislative Session, just a reminder that not all these changes become effective immediately, always check the Laws before you engage in the activity:

Some of the issues in the Game and Fish Bill include:

Defines Deer. To mean white-tailed or mule deer.

Conservation Officer equipment inspection/confiscation. The change allows Conservation Officers to inspect equipment used to take wild animals in the field (current law says only firearms).

Specifies the Civil Penalty for dogs pursuing deer. Current law states the civil penalty could be up to \$500. The change is a \$100 for dogs pursuing deer and \$500 if the deer was killed.

Tagging requirements for Big Game. Current law states a Big Game animal must be tagged at the site of kill. The change allows a Big Game hunter to drag, carry, or cart a big game animal out of the woods without being tagged as long as the person dragging it has the validated tag and license on their person. At all other times, the deer will need to be tagged.

Clarifies requirements for a parent or guardian accompanying youth. The change creates a civil penalty if parents or guardians are not accompanying youth under age 16 while in possession of a firearm.

Predator/Shining. The change allows shining of fox on foot, not within public road Right of Way, use of hand-held or electronic calling device, not within 200 feet of a motor vehicle, and shotgun only, between Jan 1 and Mar 15.

Antler Sheds. The change clearly allows a person to collect naturally shed antlers and prohibits the use of equipment intended to artificially pull antlers.

Angling/Spearing in same house. The change allows spearing and angling at the same time in the same house, with the condition that any fish caught by angling must be immediately released to the water or placed on the ice.

Use of ATV's and Snowmobiles during the Deer Season. The change allows the use of ATV's and Snowmobiles on private land with owner permission of any licensed deer hunter anytime during the deer season.

Cost Savings Initiatives:

Nothing Specific.

Other Special Law Enforcement Issues:

Nothing Specific.

MIDWEST NEWSLETTER
MISSOURI DEPARTMENT OF CONSERVATION
DENNIS STEWARD, PROTECTION DIVISION CHIEF

Training Issues

A new class of 20 Conservation Agent Trainees began the training process on April 2, 2006. The twenty trainees were selected from a pool of approximately 244 applicants. The degrees were varied, with Wildlife Management, Biology, and Criminal Justice serving as the majority of their backgrounds, but Forestry and Animal Ecology also represented. In addition, we have two trainees who have already attained their M.S. Degrees. The average age of this class is 26. For the next six months they will be participating in a combination of classroom and field training that will prepare them for their county assignments.

There are two successful programs that the Protection Division is using to attract qualified applicants to the position of Conservation Agent. The first, is the Protection Volunteer Program. This program acquaints the volunteer with the many aspects of the Conservation Agent's duties. The volunteer must attend several training sessions before being certified in the program. These sessions include Investigative Assistance, Driver's Training and other assorted volunteer-related programs. The recruit class we have just hired has 6 trainees that were participants in our Protection Division Volunteer Program.

The other program that is helping our agency to recruit applicants is our Protection Division Internship Program. This program is a paid internship that exposes people who are not necessarily interested in law enforcement to the Protection Division Program within our Department. The intern helps the Agents (and other Division employees) to carry out assorted MDC programs and services. This program has generated interest in working for our Division where there was not interest in the past. Our recently hired training class has two people who have participated in the Internship Program.

On a different note, our In-service Training Program in the state has expanded to include Simunitions Training in the regions. The Simunitions equipment allows us to use semi-auto Glocks that are identical to our issued weapons. These guns fire cornstarch-filled projectiles that mark the person shot at, and the rounds can also be felt through clothing (body armor, face, neck and groin protection are required before entering a scenario for both the Agents and suspects). This training has integrated our normal In-service Defensive Tactics and Firearms Training into realistic scenarios that allow the agents to utilize the skills they practice throughout the year. We have found it to be a great addition to our training program for field agents.

For veteran agents our in-service training and the Department's Academy for Leadership Excellence continue to be important elements in the success of Missouri Conservation Agents.

Funding and Staffing Issues

Conservation Agent recruitment continues to be a challenge. Our applicant pool has decreased over the last several classes creating unique challenges in selecting a qualified group of new Agents. Our Southwest Region coordinates a Protection Volunteer Program (discussed earlier)

that exposes college students to Department/Division activities and has been producing some excellent applicants.

Most professional employees have a new work objective this year of conducting diversity outreach meetings this year. These meetings will hopefully help us find and recruit new candidates from diverse cultural and gender related backgrounds.

Missouri personnel are anticipating a projected salary increase this year. At this time the Governor's Office has recommended a four percent across the board raise for state employees.

Major Conservation Law Enforcement Trends

Missouri has a great partnership between the Conservation Federation of Missouri and the Missouri Department of Conservation in the "Share the Harvest" program. This is a venison donation program which allows hunters to donate deer meat to less fortunate Missourians.

This cooperative effort has generated a great deal of interest and response from deer hunters across the state. In the 2005 deer hunting season almost 5,100 hunters donated in excess of 267,000 pounds of venison. That is finished product; processed, packaged and ready to be distributed! Conservation agents are instrumental in promoting local programs in their districts and this project is considered a Division priority.

The Conservation Federation does a great deal of fund raising and promotion of the Share the Harvest program statewide. They have funds available to provide \$35 towards processing on whole deer donations. Totals in 2005 were down a bit from the record of 275,000 pounds in 2004. But there was actually an increase percentage wise when compared to the drop in deer harvest for the same period. The conservation department uses Share the Harvest as a management tool by allowing hunters to take multiple deer and donate them from high deer density areas.

Unique Cross Boundary or Cooperative Enforcement Efforts

As caviar prices have risen there is increasing pressure on shovelnose sturgeon in the Mississippi and Missouri Rivers, as well as illegal take of endangered pallid and lake sturgeon. Missouri and bordering states are cooperating to provide increased regulation, management and protection of these sturgeon populations. A joint Mississippi River patrol with Illinois produced 20 citations and resulted in the seizure of 17 illegal gill nets. A pallid sturgeon case was made in Kentucky waters and passed on to Kentucky authorities. Cases included 6 permit related citations and 13 net related citations. Cooperative interstate patrols along river and land borders often produce quality enforcement results for both states.

A group of 18 Missouri Conservation Agents and Supervisors deployed to Louisiana and assisted with Hurricane Katrina search and rescue operations. Missouri Agents worked in downtown New Orleans evacuating people from flooded neighborhoods. In addition to the hurricane relief effort agents have assisted throughout Missouri on tornado relief efforts this spring throughout the state. The Caruthersville area in the state's bootheel was particular hard hit and agents assisted with security work for three days.

New Innovations in Conservation Law Enforcement

Missouri is piloting a new In-Vehicle Computer. The laptop computer will allow the field Agent to access Point of Sale Permit records and Law Enforcement records from their vehicle. The computer will access those records through cellular wireless technology and provide the Agent instant information on field contacts. Performance and budget analysis reviews will be conducted after the testing period to determine the feasibility of pursuing this concept. This laptop would be portable and would also serve as an office computer.

Protection Division is phasing in new radios designed to allow cross-communication on a much easier basis. Initially a Homeland Security Grant started the project and our department continues to purchase the new radios. The new radios allow low band and high band frequencies thus creating the opportunity to talk to any agency programmed in the radio.

St. Louis Region has been working with the Missouri State Highway Patrol on a dispatching agreement which allows Conservation Agents to have a 24/7 dispatch capability within the St. Louis area. This service allows Agents more immediate access to criminal records, increases efficiency and effectiveness while creating a broader safety net.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

Mountain Lions were taken off the endangered species list in Missouri and listed as extirpated. Though Mountain Lions are indigenous to the state we've had no resident population for years within Missouri. We have had 8 confirmed Mountain Lions and 9 occurrences in Missouri, including a couple of lions killed by vehicles, (both young males). Our Mountain Lion Response Team actively investigates sightings that produce some type of evidence. Black Bears also continue to provide interesting challenges as bear/human interactions increase in Missouri's Ozarks. These two mega-fauna species create unique, high emotion encounters whenever they interact with Missouri's public or show up in unexpected places.

Wildlife Road Checks – The State Highway Patrol recently decided not to assist Wildlife Road Checks due to the Highway Patrol's legal council's interpretation of recent case law. We feel our road checks are a legitimate tool used within the framework of the law and will continue to utilize this enforcement methodology.

Two Hand Fishing Bills failed to pass in this year's legislative session. Hand fishing has become a public relations and legislative issue due to a small but committed group of hand fishermen. This small group of people lobbied the Department for a hand fishing season and an experimental season was established on three Missouri waterways. The hand fishing lobby was not satisfied with the experimental season and has actively sought legislative intervention. However in Missouri the Department of Conservation has the Constitutional authority to manage wildlife and fisheries resources within the state. Any legislative action would have questionable constitutional authority.

Cost Savings Initiatives

(Wildlife Checking – Telecheck a New Era in Missouri)

Missouri's new automated wildlife checking system gives Conservation Agents and Biologists up to the minute harvest information during deer and turkey seasons. Sportsmen utilized the new system this fall during the archery deer and turkey season, firearms deer seasons and the fall firearms turkey season. This instant access to harvest data gives the Conservation Department another tool to protect and manage Missouri's deer and turkey resource. Conservation Agents utilized the new system very effectively for enforcement during the deer and turkey hunting seasons.

The telecheck system allows hunters to check their deer or turkey by telephone or over the internet on a computer. The system is set up to be user friendly for sportsmen while saving hunter's time and money by not having to drive to a check station. The new computerized system also saves Missouri taxpayers money because the new telecheck system is much less costly than the old deer and turkey check system. Moving to the telecheck system was the fiscally prudent thing to do for Missouri citizens.

Under the old check station system of checking animals Conservation Agents spent a lot of time locating businesses to check deer and turkey, setting up check stations and then monitoring those check stations throughout the hunting seasons. The new telecheck registration gives Conservation Agents the opportunity to more efficiently utilize their time. The telecheck system allowed Agents to focus on field contacts and violation investigations during the hunting seasons. The new system also saves our Department several hundred thousand dollars.

This new efficiency and focus allowed Conservation Agents to apprehend wildlife violators utilizing the new telecheck information and technology. What often began as a telecheck investigation uncovered numerous other violations such as spotlighting, road hunting, illegal buck deer, over-limits of deer and permit violations such as non-residents hunting on resident deer permits. People who are inclined to violate checking regulations often violate other wildlife regulations. The Conservation Department views tagging and checking violations seriously. These regulations are designed to help ensure a fair and equitable harvest among Missouri sportsmen.

Ultimately the credibility and success of the telecheck system will rest with Missouri's Sportsmen. If they perceive the system is working and credible for checking wildlife we will march into the future with a high tech checking system. The Conservation Department will review, monitor and evaluate the system to ensure an accurate, reliable and credible harvest checking system.

The Department of Conservation is looking to improve the telecheck system for 2006. Our goal is to provide simple, clear regulations with a convenient, credible checking system that accurately reflects deer and turkey harvest while continuing to serve as a deterrent to wildlife violators. We are entering a new era of wildlife management by using telephones and computers to check harvested wildlife. We are confident this convenient, less costly checking system can be a successful component for the future of wildlife management in Missouri.

Other Special Law Enforcement Issues

The Special Investigations Unit has been working on several different issues many related to the internet and illegal sale of wildlife. Sales ranged from reptiles to mounts of protected species.

One of the issues given special consideration over the past year has been the increase in illegal feral hog activity. The department is cooperating with several state and federal agencies to stem the illegal importation and release of hogs in Missouri. Our investigators have supplied the ground work for other agencies to document such activity. The latest involved an individual who had brought hogs into the state for hunting purposes and did not comply with state and federal health certification requirements. The herd was ordered destroyed by the Department of Agriculture and test results showed that a number of the animals had pseudo-rabies. Proper action is being taken by both Mo. Dept. of Ag. and USDA. The Department of Conservation chairs the Law Enforcement Subcommittee of the State Feral Hog Task Force. The intent of the group is to address illegal hog importation and releases while attempting to eliminate the existing feral hog population.

WAFWA Law Enforcement Committee
State Report -- Montana
By: Jim Kropp
Chief of Law Enforcement
Montana Fish, Wildlife & Parks

TRAINING ISSUES:

Enforcement Training Officer

John Ramsey, FWP Enforcement Training Officer retired in June 2005. Mike Mehn of the FWP Criminal Investigation Section was hired in September to replace John.

FTO / FTEP

The enforcement division field training officers met in Feb. 2006 for a two-day in-service training session and discussions. The highlight of the meeting was a guest speaker from South Dakota Game and Fish discussing their adaptation of The Reno method of officer training. Montana will continue to improve their program as well as begin recertification of its FTOs on a bi-annual basis. Our program has been proven to show those officers that are not quite ready to become game wardens.

Annual Enforcement Division Training seminar

In April 2006, we held our training seminar at Fort Harrison in Helena. In addition to in-service firearms qualifications and legal updates, guest speakers discussed Fitness in Law Enforcement (B. Hoffman) and Post Traumatic Stress (C. Burroughs). Montana agreed to send 3 officers to Quebec for the NAWEO conference to bid on the 2008 conference to be held in Great Falls, MT

Hiring

The enforcement division has hired an unprecedented 9 full time officers and two part time (trainees) in the past 9 months. We are now in another general hire cycle and working through the 60 applicants we received for approximately 5 openings.

FUNDING AND STAFFING ISSUES:

Regional Investigators

Over the last decade, we have witnessed an increasing need for additional in-depth investigative and trial preparation support essential to control the unlawful commercialization of our states public resources. As a result, the amount of time available for routine patrol and hunter, angler, landowner, park visitor and recreationists' contacts, one of the prime foundations for deterring criminal behavior, is diminishing.

To address the need for providing enhanced fish, wildlife and parks investigational services throughout the state, the Law Enforcement Division proposed and received two Regional Investigator positions during the 2005 state Legislature, for work in FWP regions three and five. The positions were staffed in August 2005 and began their duties immediately.

Regional Investigators duties and responsibilities include the following:

- Coordinate investigative casework with the Warden Captain, Sergeant, field wardens, and county attorneys.
- Serve as the primary local liaison between US Fish and Wildlife Service (USFWS) and the Attorney General's Special Prosecutor. They serve as FWP representative with other agencies in intelligence analysis, sharing, and dissemination.
- Serve as regional Commercial Licensing Program Coordinator for administrative records and inspections such as: Outfitters, taxidermists, alternative livestock facilities, fish ponds & commercial hatcheries, shooting preserves, game bird farms, dog trials, zoos and menageries.
- Provide procedural expertise as well as oversee and maintain implementation of legal and procedural updates. They focus on crucial legal and constitutional procedures and requirements such as search warrant assistance and direction for all field wardens in their region.
- Oversee evidence collection and are the region's primary evidence custodian.
- Act as lead person in monitoring the Crime Intel system within the region and serve as a liaison between regions in the analysis and sharing of criminal intelligence. They also participate in the gathering of criminal intelligence information and maintain the regional Crime Intel database, while also assisting district wardens in the usage of the system.
- Act in the capacity of regional specialist in electronic surveillance techniques and computer data analysis.

- Maintain currency in and assist wardens in their region with outdoor crime scene investigation and wildlife forensics' techniques.
- Through competency in the Automated Licensing System (ALS) and all enforcement databases, provide assistance to field wardens in case investigation.
- Provide wardens with expertise and assistance in license fraud and residency investigations. They are the regional experts on case preparation, documentation, report writing techniques and jury trial preparation.
- Coordinate intelligence and casework with CIS through regular meetings and assist in developing intelligence for covert cases. They also perform or coordinate follow-up casework for CIS such as with local and out-of-state interviews.
- Act as the region's Tip-Mont Manager, monitoring Tip-Mont reports and their follow-up.

In five months, these two Regional Investigators in addition to the above stated duties have worked successful cases resulting in total assessments of approximately \$160,000 in fines and restitution, and 95 years of privilege suspensions for the violators, with many other additional cases opened or pending assessment. There is no doubt that similar work may be accomplished throughout the rest of the state.

Recreation-emphasis Wardens

In the 2005 report, we noted that MFWP continues to redefine the organization of agency enforcement efforts. By combining pieces of part-time FTE from several divisions (wildlife, fish and parks) and utilizing current, dedicated, recreation-based FTE the enforcement division received through the Legislature, we created a new, full-time, sworn Warden position in Northwest Montana whose major emphasis has been field-level enforcement efforts centered in and around Park and Fishing Access Sites. In particular, this position has been concentrating on compliance and enforcement of Park and FAS rules, boating, camping and other recreation issues. Due to the success of this position, two other positions of this type have been created and two more are being considered, all to address site-specific needs. We expect this trend to continue as non-consumptive recreational activity - and the resulting need for dedicated compliance enforcement - continues to grow in Montana.

Warden Trainees

Two, half-time Warden Trainees are being hired through the state university system to give seniors on-the-job preparation for a career as a Montana Game Warden.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

Chronic Wasting Disease and Carcass Import Regulations

CWD has been shown to be present in cervid populations in 11 states and 2 Canadian provinces. Montana is surrounded on the north, east, and south by states or provinces that have found CWD in their free ranging cervids. Montana FWP has tested over 9000 samples from deer and elk since 1998 for CWD exposure and has not detected CWD as of January of 2006. Presently, 24 states have enacted prohibitions on the movement of specific cervid parts into their state if the parts originated from states that had experienced CWD in their cervid populations.

A FWP Commission regulation to attempt to address CDW spread into Montana was approved at the February 2006 meeting of the MFWP Commission. The tentative regulation was included in media releases describing the regulations and was discussed at a series of meetings held around Montana to provide the public an opportunity to comment. There was general support from the public for the carcass transportation rule.

Rather than restricting importation only from affected hunting districts and game management areas of affected states, the regulation calls for restricting importation of the specific carcass parts from the entire affected state. The reason for this broader approach is that the effectiveness of surveillance programs in other states is unknown. In at least one of the affected states, CWD has been shown to be more widespread than was initially thought due to increased surveillance efforts. According to studies in at least one affected state, CWD had been present in an area for a significant time period before being identified. Additionally, compliance enforcement and understanding of the prohibition is much simpler if prohibition includes cervid carcass parts harvested from any location within one of the affected states.

Urban wildlife

As Montana communities continue to grow, development infringements push into wildlife habitat, and displaced wildlife find urban living to their liking. While incorporated towns and cities are authorized to create ordinances in order to not intentionally make backyards attractive to wildlife (e.g., wildlife feeding prohibitions), existing ornamental landscaping and lack of predation – by natural predators or man – has become very attractive to deer, elk, moose and antelope.

Particularly in larger towns, the local wardens workload is more and more becoming that of managing urban wildlife. In Helena, Montana's capital, the city commission passed an emergency exemption to the prohibition of discharging a firearm within the city limits in order that game wardens may legally cull aggressive, habituated deer that had been threatening local citizens mere blocks from the capital complex and downtown areas. Trapping, marking, and relocating or euthanizing (for repeat offenders) black bears in suburbs is becoming a common summer activity for wardens throughout the state, and the "moose pursuit" through downtown streets and alleys is more and more frequent.

"Bear Man"

Not all nuisance wildlife is created through development encroachment or passive attractants, but by a person's irrational "love" of wildlife. In one instance, an individual living in a semi rural residential development near the Continental Divide had been making the local black bears his buddies through intentional feeding. Even to the point of erecting electrical fence immediately around his home – to keep habituated bears from breaking in as well as to guide wild bears towards feeding stations on his property. Not to hunt, but just to enjoy their company.

In 2003 his neighbors complained, wardens investigated and issued him a citation (a 2001 law made it a violation to intentionally provide feed or attractants for wild bears). In 2005, neighbors again complained, wardens conducted surveillance, and after witnessing the suspect in the act of walking amongst, playing with and feeding dog food to six black bears outside his front door, a search warrant was obtained.

In a taped appearance at the county courthouse, the defendant told the judge “I feel like I just lost my children. I loved them. I didn’t realize I was creating such a problem”. The defendant also didn't deny having interactions with the bears, and even told the judge that he would sleep with the animals and go on long walks with them. He admitted to a warden that the wounds on his arm were from a bear “getting rough” with him. Sentencing included fines for the charges, restitution for the habituated bears that were destroyed, jail time and seizure of the defendant’s firearms until a favorable mental health evaluation is presented to the court.

Replacement license abuse

Since the inception of FWP’s Automated Licensing System (ALS) in 2002, we have been able to specifically account for sales of replacement game tags. Deer, elk and bear replacement tag issue has increased 60%, 45% and 48% respectively. The number of turkey and mountain lion replacement tags issued has doubled over the period, and antelope replacement tag issue has increased an incredible 900% in 2005.

We speculate that a significant contributing factor is the low cost of obtaining a replacement tag. While the cost of licenses and tags has increased over time, the fee for a replacement tag – set by statute at five dollars – has not changed for almost 25 years.

We recognize that in many cases it may truly be a case of an unused tag being “lost, stolen or destroyed” (per statute), but also know that in many cases it is more a matter of cheap convenience. However, even in the case of convenience for a tag temporarily misplaced or left somewhere else, the original, upon its reappearance, provides a temptation for the opportunistic taking of a second animal by a person who may not have had that inclination had the opportunity not presented itself so handily. We are also able to document that many individuals “loose” their tags several times per license year, and/or consistently year after year. In addition, we have been detecting and apprehending increasing numbers of violators who have knowingly and intentionally purchased replacement tags in order to “legalize” illegally taken animals.

Upon discovery of the increasing number of replacement tags issued, we attempted to curtail this activity with a public awareness and educational effort. In addition, we began to limit the number of replacement tags an individual could obtain from an outside vendor, from unlimited in 2002, to now one per license year. These measures have had no noticeable effect.

We propose to address this issue through the 2007 Legislature by 1) providing authority for the department to set fee structures for specific replacement licenses, and 2) make it a misdemeanor to fraudulently obtain or use a replacement license.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

McDonald Investigation

A multi-year, multi-defendant and multi-jurisdictional case in commercial trafficking of unlawfully taken wildlife came to an initial conclusion in 2005. John McDonald, a Montana landowner/outfitter had for years been providing opportunity for mostly wealthy out-of-state hunters to poach trophy-class bull elk (in addition to some deer and mountain lions) out-of-season with illegal or no licenses on his extensive land holdings in prime elk habitat. The

illegally taken game was then transported back to the poacher's home states: Tennessee, Michigan, Washington, Oregon, California and even Australia.

With the assistance of the USFWS, RMIN and various states wildlife enforcement agencies, Montana wardens and a Montana-based USFWS served search warrants and conducted interviews in several states, recovering evidence and testimony that lead to convictions of sixteen individuals and the assessment of \$107,535 in fines and restitution... Charges are pending on additional individuals at the time of this writing.

The sentencing is notable in that Mr. McDonald received the following:

- Felony Lacey Act (2 Counts)
- \$25,000 Fine, \$25,000 Restitution
- \$200 Federal Court charges
- One year Federal Prison, two years probation after prison.
- 3 Years loss of all privileges in World
- Lifetime loss of all privileges in MT (and compact states).
- Convicted Federal Felon cannot possess firearms.
- No alcohol consumption or entering establishments that serve alcohol while on probation.

Frank Investigation

FBI investigations into a conspiracy to kidnap the son of a prominent celebrity lead to a major poaching conviction against the prime conspiracy suspect Kelly Alan Frank. The FBI's search warrant of Frank's residence uncovered evidence that indicated that Frank was also involved in poaching trophy game. One of the illegal (shot with rifle during archery season) mule deer bucks subsequently seized after Montana wardens began their investigation has proven to be the new Montana record, scoring 207 7/10 (typical).

Of the possible violations (Hunt During a Closed Season, Take an Over Limit of a Big Game Animal, Waste or Abandon a Big Game Animal in the Field, and Felony Possession of Unlawfully Killed Wildlife), Frank eventually pled guilty Felony Possession of Unlawfully Killed Wildlife and was sentenced to \$8,000 restitution, 5 years in Montana State Prison, and 25 years of hunting and fishing privilege suspension.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

Information Sharing with Montana Department of Revenue

Montana Fish, Wildlife and Parks has just put the final signatures on an agreement to share information with Montana Department of Revenue. The new joint effort will use residency information collected by both agencies to electronically compare against each other and discover discrepancies in residency claims for both agencies. For instance, a person that claims to have complied with FWP residency criteria for the purposes of purchasing resident hunting, fishing or trapping licenses, but doesn't show up in DOR information as filing income taxes as a state resident, will be identified as someone needing a closer look at. We anticipate an increase in discovery of both license fraud and income tax evasion cases.

STATE, REGIONAL, AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES

LAW ENFORCEMENT:

Nothing to report

COST SAVING INITIATIVES:

Nothing to report

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

Nothing to report

**AFWA Law Enforcement Committee
National Association of Conservation Law Enforcement Chiefs
Association of Midwest Fish and Game Law Enforcement Officers
WAFWA Law Enforcement Committee
State Report - Nebraska**

**Submitted by: Ted Blume
Law Enforcement Division Administrator
Nebraska Game and Parks Commission
April 2006**

TRAINING ISSUES

Our Staff Supervisor who oversaw training resigned in September to be at home with her family. The vacancy and some leave on her part earlier in the year put our training program a considerably behind, but we were still able to hire and complete field training for three new officers toward the end of the year and into 2006.

The primary training effort for this year will be co-hosting the 2006 Association of Midwest Fish and Game Law Enforcement Officers conference with Iowa in Omaha July 16th through 19th. We have put together what we feel is an outstanding training program and are looking forward to hosting the member agencies in the midwest again.

Our Hunter Education section has initiated an independent study option fo Bowhunter Education in conjunction with the National Bowhunter Education Foundation. Hunter Education and Boating Safety are in the Law Enforcement Division.

FUNDING AND STAFFING ISSUES

We have held several Conservation Officer vacancies open to reduce budgetary expenditures. We still have two field officer positions open and will gain another one in July that was approved by the Legislature last year. It is uncertain when or if we will be able to fill these vacancies.

We again had one officer called to active military duty during 2005 who is still deployed. The division ended the year with one more authorized position than in 2004 (one new field officer position gained July 1, 2005):

1 Division Administrator, 2 Assistant Division Administrators, 1 Staff Conservation Officer Supervisor, 1 Administrative Secretary, 1 Staff Assistant, 1 Staff Conservation Officer, 5 District Conservation Officer Supervisors, and 48 field Conservation Officer positions (including two vacancies); 1 Hunter Education Coordinator; and, in Boating Safety, 1 Boating Law Administrator, 2 Public Information Officers, 1 Accounting Clerk, and 1 Office Clerk for a total of 65 positions.

Motor vehicle fuel price increases have caused major budget adjustments in our operating funds and officers have been directed to consolidate and plan patrols effectively to reduce unnecessary miles.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

Conservation Officers are involved in many agency programs in support of agency goals and objectives. Many of these duties also support and promote conservation law enforcement through contact with our constituents of all ages. COs presented or assisted with 1,072 programs in 2005. As usual, many of the programs were youth-oriented such as the new COYOTE program. And we continued to support the other agency educational programs that have been developed and enhanced over the years: the Cornhusker High School Trap Shoot at Doniphan (the largest youth shooting event in the country with over 1,100 shooters last year); the High School Silhouette Shoot at Pressey Wildlife Management Area; the Youth Outdoor Skills Camps at Halsey and Gretna; the Becoming an Outdoor Woman workshop at Halsey; school programs including the new COYOTE program; Hunter Education programs and Boating Safety programs among others.

During 2005 Conservation Officers contacted 365,354 people while performing all their duties including 33,772 hunters; 60,936 anglers; 30,048 boaters; 131,042 park and recreation area users; and 1,201 trappers. Officers also contacted 101,851 people for other reasons such as traffic, drugs, Homeland Security, other government representatives, landowners, media representatives of all kinds and the wide variety of others that they routinely come in contact with in the course of their duties. In addition, they responded to 6,504 complaints in 2005. Officers drove 1,364,865 miles to accomplish their duties and spent 639 nights away from home.

Conservation Officers *are* the Game and Parks Commission to many of our constituents and are relied upon to provide up-to-date information on all agency programs and initiatives. The officers live in the local communities across the state and are viewed as part of the communities, which makes them a primary contact for information about all things involving the agency. This local involvement and availability is extremely important in the promotion of the agency goals and objectives to the majority of our constituents.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

As always, special cooperative law enforcement details were utilized to address specific problems or to enhance law enforcement presence for specific occasions or in specific areas. The use of these special details improves the perceived presence of officers statewide and helps curtail illegal activity in target areas. Some of these special law enforcement details and investigations that were conducted during 2005:

- A long-term cooperative wildlife commercialization investigation in the Omaha metro area, "Ponca Hills", in conjunction with the U.S. Fish and Wildlife Service was culminated in January of 2006. The takedown involved more than 30 officers from the USFWS, Nebraska Game and Parks Commission, Iowa DNR, Omaha Police Department, Douglas County Health Department and US Alcohol Tobacco and Firearms. Follow-up investigations continue.
- Our officers worked with officers from the Iowa DNR, Iowa State Patrol, Nebraska State Patrol, South Dakota Game, Fish and Parks, and several sheriff and police departments on the Missouri River conducting boating safety law enforcement details directed at boating under the influence violations primarily. One of the details in the Omaha area netted 8 BUI arrests and over 20 other violations.
- A cooperative Highway Safety grant detail at Lake McConaughy, our largest reservoir with associated State Recreation Area, involving 7 officers and cooperation from the State Patrol and local sheriff's department netted 64 citations for alcohol, MIP, driving under the influence, drugs and other violations. These high profile details substantially curtail problem behavior on the part of the 20 to 30,000 visitors to the area on a busy weekend.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT

We continue our utilization and enhancement of computer reporting. Our new report database has been disseminated to all officers. It is proving to be an excellent tool for generating quality reports in a standard format. We are hampered in further computer technology advancement by not having dedicated IT personnel within the division. Agency IT staff is also very limited.

STATE, REGIONAL AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT

Homeland Security was a primary focus again during the past year with the Law Enforcement Division leading the agency involvement at all levels. Many hours have been dedicated to meetings, training, exercising and planning by division and agency personnel to meet the HS requirements. The process has become so demanding that we are investigating the possibility of contract assistance to help meet our obligations to the HS effort since we have been unable to gain additional staff to help address the requirements.

COST SAVINGS INITIATIVES

We continued to hold several Conservation Officer positions open for several months to accrue some personnel funds savings and asked officers to curtail unnecessary driving on a volunteer basis due to the rising fuel costs. With the recent additional increases in fuel costs, mandatory mileage reductions may be on the horizon.

OTHER SPECIAL LAW ENFORCEMENT ISSUES

While contacting the many people in the performance of their varied duties during 2005 Conservation Officers initiated 3,016 criminal prosecutions involving 3,749 individual charges against defendants. The cases resulted in \$291,175 in fines and court costs and \$96,474 in liquidated damages for animals taken or possessed illegally, which was returned to the agency Game Fund. Officers also issued 6,359 official warnings for lesser violations. Which, combined with all the other ongoing and unique operations, events and incidents, made for a challenging year.

Other major focuses/issues/projects for the Law Enforcement Division during the past year included:

- § Response to mountain lion reports and sightings including a road-killed lion on Interstate 80 near Gretna just outside of Omaha. This event alone resulted in hundreds of calls.
- § Continued response to Chronic Wasting Disease.
- § Continued strong emphasis on educational programs and public contacts by all division personnel including implementation of the new COYOTE program.
- § Special details at Lake McConaughy focused on over-bagging on fish, especially wipers. From Memorial Day weekend to late June there were over 23 substantial over-bag cases prosecuted. These cases required many hours of surveillance by officers to bring them to conclusion.
- § Assistance to the Fisheries Division with surveying anglers for the spring trout stocking program again this year to assess its effectiveness in generating additional or renewed permit sales and/or fishing interest.

IN SUMMARY

Overall, even with the increasing fuel costs and uncomfortable, time-consuming ongoing Homeland Security preparations and uncertainty it was another good year for the Law Enforcement Division. Hopefully, things will even out a bit in the coming year.

STATE OF NORTH DAKOTA ANNUAL REPORT ON LAW ENFORCEMENT ISSUES SUBMITTED BY: ROBERT TIMIAN

TRAINING ISSUES

North Dakota training standards and programs for Game Wardens has not changed significantly in the last year, however all phases of our training is continually evaluated on both form and format. We will be sending three officers out of state for covert training; this will be discussed further in section 4 below. All officers will have by June 22nd, completed the transition and training to Glock as the duty sidearm in .40 caliber.

FUNDING AND STAFFING ISSUES

The Enforcement Division is currently at full strength, including one part time Game Warden position. The 2005 legislature approved a 100 percent budget for the 2005-07 biennium. This should be adequate for operations, although mileage rates based on rising fuel costs could have a negative impact.

Almost two years ago the enforcement division added the position of commercial and investigation supervisor. We now have a more complete picture of the work involved and the ability of a one person section to accomplish it. The result is that we have requested one additional FTE be added to the commercial and investigation section.

Additional funding has been requested for the development of a web based Game & Fish Enforcement module for report and case management within LERMS as part of CJIS. The request will be acted on by July 1st, and if approved we hope to be testing the system by this fall. This is a needed upgrade of the current systems will be made possible by the Department making internet available to enforcement staff.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

The commercialization of wildlife continues to expand with requests to take for sale or commercialize in any wildlife that can turn a profit. This has led to more time and resources used to determine what will/can and what will not/cannot be permitted. There is at a minimum, two issues the need to be addressed. Will the commercialization of wildlife be permitted or not, and if permitted, what species and how much. This trend does tend to find the holes and weak spots in the law, rules and regulations.

This year's legislature enacted a new section of law directed at ANS (aquatic nuisance species). We are now in the process of sorting out who needs to do what, how much, and writing the administrative rules to enable us to carrying what the legislature intended and expects to be accomplished with these new laws. Additional resources will be needed or existing resources redirected.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

North Dakota continues to work on cooperative investigations with South Dakota. A part of this effort is the covert training of three officers this year to in part allow us to reciprocate with other states for use of their covert officers. North Dakota also is working with other states and USFWS on a number of investigations, most involving the guide and outfitter business or the bait industry.

STATE, REGIONAL AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCE LAW ENFORCEMENT

Federal District Court dismissed the lawsuit filed by Minnesota against North Dakota over the regulating of nonresidents.

North Dakota's law and procedures to recognize suspension of privileges under the Interstate Violator Compact is being challenged. At this time the state has prevailed at each step through the legal system, and the issue is now before the North Dakota Supreme Court with an expected ruling by mid fall.

August 1st, 2005 a new law passed during this legislative session will become effective. This law states that "an individual hunting on Indian land pursuant to a tribal hunting license is not required to possess a state license to hunt on such land." "Indian land" means land within the exterior boundaries of an Indian reservation held in trust by the federal government for the benefit of an Indian tribe or an Indian and land within the exterior boundaries of an Indian reservation owned in fee by an Indian tribe or an Indian.

COST SAVING INITIATIVES

Although currently North Dakota Game & Fish is financially in good shape, we review expenditures on continuing bases. This year the state OMB has enabled the individual agencies to conduct purchasing of high cost items provided that individuals within the agencies are trained by OMB to meet state standard for purchasing. Regional Enforcement Supervisor all received the training and certification. This will allow for a more efficient system of purchasing items such as boats.

OTHER SPECIAL LAW ENFORCEMENT ISSUES

The availability of laboratory facilities to do DNA and other evidence work is a problem and state crime labs and the federal wildlife lab are not able to do the necessary work within any reasonable time frame, due to work loads.

North Dakota and its neighbor states are improving the information sharing and coordination on commercialization of natural resources such as bait, fish, and guide/outfitter operations.

**NORTHWEST TERRITORIES COMPLIANCE DIVISION
LAW ENFORCEMENT COMMITTEE
PROVINCIAL REPORT
SUBMITTED BY: DAVE WILLIAMS**

The Department of Environment and Natural Resources commenced operations on April 1, 2005. The mandate of the Minister for ENR and the department is to promote and support the sustainable use and development of natural resources and to protect, conserve and enhance the NWT environment for the social and economic benefits for all NWT residents.

TRAINING ISSUES:

The Compliance Division completed revisiting a study that summarized critical environmental issues facing the Department within the next 10 years as they relate to Compliance Activities and what type of training ENR enforcement officers have now and require in the future to safely deliver the departmental mandate.

Training sessions delivered on law enforcement, officer safety, evidence and court procedures and defensive tactics, wildlife immobilization problem wildlife and range officer. Officers also completed re-certifications in firearms and defensive tactics.

FUNDING AND STAFFING ISSUES:

Currently have 63 officers deployed into 5 administrative regions in the Northwest Territories along with specialists in Headquarters. There are no significant changes in staffing in the Northwest Territories besides the hiring of two new regional superintendents within administrative centers well as two environmental protection inspectors and an environmental assessment analyst in each area. We are continued to be challenged in meeting regional capacity with the increased resource development exploration projects.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

The big issue in the Northwest Territories is the re-writing of the departmental legislation such as the Wildlife Act, Forest Protection and Management and new Species at Risk, most of the departmental legislation is well over 20 years old.

Land Claims, Tli cho claim ratified in 2004 and interim land protection provisions have been agreed to where claims are still being negotiated.

UNIQUE CROSS BORDER OR COOPERATIVE ENFORCEMENT EFFORTS:

Officers in adjoining jurisdictions are cross appointed to enforce NWT wildlife legislation. NWT officers are also appointed under Fisheries and Federal legislation. Officers have been involved in inter-jurisdictional field enforcement officer meetings held in Alberta and Alaska.

NEW INOVATIONS IN CONSERVATION LAW ENFORCEMENT:

None to report

STATE, REGIONAL AND NATIONAL ISSUES, LEGISLATION LEGAL CHALLENGES AND COURT DECISIONS:

Officers continue to be involved in a diverse spectrum of law enforcement activities beyond those traditionally associated with wildlife law enforcement. The public support for enforcement that protects resources is at a high level. Courts are continuing to support greater penalties for infractions and this is reflected in the sentences levied.

COST SAVING INITIATIVES:

None to report

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

The issue of self-government and co-management of the resources under land claim provisions. Resource management legislative and administrative authorities held by the federal government could be devolved to the GNWT during the 2006-2009 period. This will result in major changes for the department.

**Provincial Report – Nova Scotia
John Mombourquette, Director, Enforcement Division
Nova Scotia Department of Natural Resources**

Training Issues:

The Department of Natural Resources is a member of a provincial Training Standards Committee which is chaired by the Department of Justice and attended by other agencies such as municipal police, sheriffs' department, military police and the RCMP. This committee is responsible for identifying trends and needs in training for enforcement officers and ensuring the delivery of such training. Under this arrangement, all peace

officers operating in the province receive the same training. The committee is currently developing a five year plan for enforcement training.

The NS Department of Natural Resources is also a member of the Association of Natural Resource Enforcement Trainers (ANRET), which has members from enforcement agencies from all across North America and beyond. This association meets annually and corresponds to exchange ideas and techniques in law enforcement training in each respective jurisdiction.

Funding and Staffing Issues:

Last year was another good year regarding budgets and staffing. Government approved 12 new Conservation Officer positions. These twelve officers are dedicated to off-highway vehicle enforcement. The positions come complete with funding and provide each officer with new ATV's/Street and Trail Motorcycles/Snowmobiles/Uniforms, and all other related equipment. We have established an evergreen plan for computers/ATV's/Snowmobiles and other motorized equipment. Most of the motorized equipment in service is new or in excellent condition. Our current staffing levels are 45 permanent Conservation Officers and 30 Seasonal Officers. We have three Aboriginal (Mi'Kmaq) Officers working in our seasonal program and we are in the process of meeting with the Civil Service Commission and the Government Employees Union in an attempt to upgrade these aboriginal positions to permanent status.

Major Conservation Law Enforcement Trends:

DNR has been designated as the Department responsible for off-highway vehicle enforcement. As noted above, the Program and responsibilities came with full funding (an unusual event). It did, however, come with some major challenges. The new Off-Highway Vehicle Act places major restrictions on OHV use and also increased registration costs by \$40.00 annually. This additional cost is directed to trail development, however, it has not been well received by ATV users. The Snowmobile Association of Nova Scotia (SANS) has over 3000 km of groomed trails in the province. The All Terrain Association of Nova Scotia (ATVANS) have no trails at present. They want access to SANS trails, however, there is some concern if the machines are compatible. ATVANS is asking what are we getting today for our \$40.00. The whole issue of OHV's and the legislation controlling their use, has been front and center for the past year, and will remain on the radar through the provincial election. The issue has held front page coverage in our provincial paper for months. It has the ability to dictate what party will form the next government.

Unique Cross Boundary or Cooperative, Enforcement Efforts:

DNR Nova Scotia is actively involved in the National Special Investigations Training Committee. The committee oversees the development and delivery of special investigations. This includes undercover operators/cover teams/intelligence officers, and surveillance units. DNR NS has three officers on the National Pool of UC Operators and has carried out covert operations in other provinces in the past year.

Natural Resources Conservation Officers deliver inland fishery enforcement for the Provincial Department of Fisheries. This is the eleventh year of this partnership. The Program has been very effective, and wildlife groups continue to support the program and lobby government for its continuation. It has provided extended work terms for our seasonal officers.

New Innovations in Conservation Law Enforcement:

Nothing to share

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement:

Aboriginal, Treaty and Metis Rights are enshrined in our Constitution in Canada. The Supreme Court of Canada continues to hand down decisions that have major impacts on industry and access to our natural resources. The latest trend is for individuals and communities to identify as being Metis to access our resources. Many Nova Scotia Metis groups have formed in the past year. We have a wildlife case on its way to court this year. If the courts recognize Metis in our province, the resulting pressure on our resources will be unprecedented.

Cost Savings Initiatives:

Nothing to share.

Other Special Law Enforcement Issues:

Nothing to share.

**Annual Report to the Association of Midwest Fish and Game Law
Enforcement Officers
Ohio
Daniel T. Schneider
Law Enforcement Executive Administrator**

TRAINING ISSUES

Sixteen new State Wildlife Officer cadets graduated from the training academy in July 2005 and were assigned throughout the state. Training for these officers included completion of the 16 week Ohio Basic Peace Officer Training Program followed by 10 weeks of Wildlife Officer Pre-service Training where cadets learn specialized wildlife law enforcement techniques, regulations, and also a variety of resource management and educational skills and programs.

We continue to refine and adjust our Wildlife Officer Field Training and Evaluation Program with our latest training class of cadets. This six-month program begins once the wildlife officer cadet graduates from the academy and consists of working with a Field Training Officer (FTO), standardized evaluations, completion of established training tasks and follows a detailed Field Training Manual . By the end of the training program the new officer has received exposure to the full range of wildlife officer duties and areas of responsibility. The program has been very successful for us in standardizing new officer training and allowing for improved performance evaluations. All wildlife officer supervisors attended a 40 FTO course to update their training in this area.

A specialized Waterfowl Enforcement School was again held for 15 wildlife officers, investigators, and supervisors. This school, taught by our own officers, biologists, and U.S. Fish and Wildlife Service (USFWS) special agents focuses on enforcement techniques for waterfowl and migratory game birds, species identification, and regulations. It features classroom study, field trips, and scenarios designed to improve waterfowl enforcement skills and knowledge. We are exploring the possibilities of conducting a similar specialized training for furbearer and trapping enforcement.

The Division of Wildlife hosted the Midwest Technical Investigators Conference with 20 investigators from many Midwest states attending. The event focused on scenario based training designed to improve undercover operations and skills among attendees.

We continue to make great strides in officer training particularly for firearms and defensive tactics. All commissioned officers receive a minimum of 40 hours in-service training in firearms and defensive tactics. Statewide in-service training this year in this arena included qualifications with all issued firearms and secondary weapons as well as 4 quarterly training sessions in each wildlife district. These quarterly trainings covered officer self defense, handcuffing (including legal aspects), escorts and takedowns, all-terrain vehicle (ATV) stops and approaches, defensive driving and maneuvering, policy and procedure review concerning use of weapons, use of force, and the 4th Amendment to the U.S. Constitution, Miranda, and pertinent court cases. Shooting exercises included point shooting, shooting from unorthodox positions, shooting from behind barricades, shooting and moving, reloading exercises, and limited and no light exercises. Additionally, all supervisors attended training on their role during and after pursuits through the Ohio Peace Officer Training Academy, and all officers attended the seminar "Emotional Survival for Law Enforcement, a Guide for Officers and Their Families" by Kevin M. Gilmartin, Ph.D.

FUNDING AND STAFFING ISSUES

Sixteen new State Wildlife Officers cadets were hired during the past year. The graduation of this training academy brought our officer staff up to 163 commissioned wildlife officers, investigators, supervisors, and administrators. Due to projected retirements we have identified a need to hold another training academy for approximately 15-20 cadets and will conduct civil service testing in June with interviews, background investigations, and additional testing following. The new training school should begin on January 2nd and graduate in June, 2007. We continue to have a goal of having very limited vacant assignments and having adequate officers serving in an at-large capacity who are able to transfer into open areas as they are available.

Recruitment of outstanding, diverse applicants for the wildlife officer position continues to be a challenging priority. For the upcoming 2007 training academy we received 418 applications. We have averaged 400 applicants for each of our last 5 training academies, where 10 to 30 new officers have been hired. Our cadets are required to have at least a 2 year college degree in selected fields and be able to meet physical fitness standards and pass a rigorous background evaluation and other tests. We have consulted with a minority recruitment specialist to improve the numbers of minority applicants and conduct extensive advertising. Recruitment for the 2007 class has included postings on agency, college, and job websites, major newspapers, press releases, and attendance at major sport shows and events around Ohio. Additionally human resources and law enforcement staff we have appeared at over a dozen recruitment fairs and contacted colleges and universities in Ohio and surrounding states.

Officer staffing levels have remained adequate. Wildlife officer cadet classes held on the average of every other year for the past 10 years have allowed us to maintain a full complement of officers in most areas with usually brief vacancies. Although this cadet training schedule has been expensive and time consuming, it has been necessary in order to keep up with retirements of veteran officers. There is typically one wildlife officer assigned to each of Ohio's 88 counties, 4 investigators working in each of 5 wildlife districts around the state, and investigators working out of the Lake Erie Enforcement Unit. Wildlife officer supervisors and law enforcement supervisors at the district level, as well as administrators and training officers at the Columbus central headquarters complete our work force. We continue to work towards expanding our Special Operations Unit which consists of investigators who work in a full time covert capacity principally targeting major violations and illegal commercialization of wildlife. This unit has been tremendously productive in recent years with considerable arrests made due to their efforts. Additionally, our firearms and defensive tactics training team have expanded to allow improved coverage and diverse training. Team members are volunteers who perform training duties in addition to their normal duties as field officers, investigators, or supervisors.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

The threat of Chronic Wasting Disease (CWD) spreading to Ohio's deer herd and impacting deer hunting and wildlife law enforcement continues to be a concern, as it is in many other states. For the fourth year in a row, testing of Ohio's deer herd has found no evidence of CWD. The Division of Wildlife collected samples from hunter-harvested deer during the deer-gun season and these 737 samples were tested by the Animal Disease Diagnostics Laboratory of the Ohio Department of Agriculture. We continue to carefully monitor the health of Ohio's deer herd throughout the year. Still, to minimize the risk of CWD appearing in Ohio, reasonable measures were passed for the disposal of hunter-killed deer, elk and moose carcasses from CWD-affected areas before they are brought back to Ohio. The regulations require the meat from an animal from a CWD-infected area to be de-boned and wrapped with no part of the spinal column or head attached. Hunters can bring back antlers or antlers attached to skullcaps as long as all soft tissue has been removed. Also acceptable will be hides and capes without the head or lymph nodes attached and finished taxidermy mounts from known CWD-infected areas.

Another area of law enforcement concern is the increase in high fenced wild animal hunting preserves in Ohio, particularly for deer and wild boar. Officers continue to monitor and inspect these facilities for compliance with current regulations and that all animals are acquired legally and properly documented.

The unlawful use of ATV's on lands owned, controlled and administered by the Division of Wildlife continues to increase. Some bike industry sources state that ATV sales dropped 4.0% in 2005 from 2004 figures and is likely due to the increasing pressures from the Federal and State governments to restrict off-road use, combined with the never-ending encroachment of housing subdivisions on rural land. Wildlife officers, particularly in southeast Ohio, see a different trend with ATV use increasing as are arrest and use of force reports by officers dealing with ATVs. Officers have had high speed pursuits both in vehicles and on ATVs with several officers injured while suspects attempted to escape. The issues brought about by the ATVs will continue to challenge officers in enforcement techniques but also in education and training.

Timber theft from state owned property has also increased, typically involving the theft of small numbers of highly valuable trees in remote areas. Surveillance and timely investigations often have been difficult. The tree of choice seems to be veneer cherry.

Ginseng enforcement and certification for export is carried out by Division of Wildlife officers. The harvest of ginseng has continued to decline in Ohio although demand seems constant and profitable. The USFWS Division of Scientific Authority initially made a rule for the 2005 export season, that all wild ginseng must be at least ten years old in order to be exported. The rule was released four days after the harvesting season had opened in some states and close to the Ohio season. It would prove very difficult to determine root age using the prescribed root scar method the USFWS had determined to be required, and enforcement would be affected. We, along with other states with ginseng management programs have asked the UFWS to remove this restriction for 2006 and revert back to allowing five-year old plants for harvest.

Investigators assigned to the Lake Erie Enforcement Unit exposed a pattern of corrupt activity by some commercial fishing operations. Felony indictments were filed against 14 individuals and five businesses associated with Ohio's commercial fishing industry. The licensed commercial fishermen and fish wholesale businesses involved allegedly took more yellow perch from Lake Erie than their quotas allowed, filed false reports, and sold unreported yellow perch. Each defendant could face up to 10 years in prison, plus a \$25,000 fine if convicted of engaging in a pattern of corrupt activity - a first-degree felony and the most serious of the charges involved. Since 1996, Lake Erie's yellow perch have been managed through a quota system. Quotas are set in order to balance Ohio's share of the lake's yellow perch harvest between sport anglers and commercial fishermen. Commercial fishermen are required to keep accurate and legible catch reports and to stay within their licensed yellow perch quota in a given year. Safe harvest levels of yellow perch are determined by fisheries biologists and enforcement by wildlife officers to maintain healthy fish populations and provide quality fishing opportunities on Lake Erie. The illegal activities discovered have resulted in approved regulations that will tighten the rules on the industry. One change prohibits commercial fishermen from having yellow perch from the Central and Western basins of Lake Erie on their boat at the same time. Commercial fishing vessels are now required to notify the Division of

Wildlife at least 30 minutes prior to docking with the fish they have netted. They are also now required to have additional color coding for their nets.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

In Ohio the sport of Falconry was first permitted in 1973. Relatively little enforcement effort was devoted to falconry and few of our officers were knowledgeable about falconry or the required regulations. With a rising concern about compliance with applicable rules and required permit and record information, an investigation was initiated to ensure compliance and the wise use of very valuable and unique avian resources. During the summer and fall of 2005, an investigator reviewed all of the documents that falconers are required to submit and made numerous contacts with officers around Ohio, other states, and the USFWS. The investigation revealed discrepancies and violations that would not have been uncovered without the tedious record examination. Additional violations were found by undercover officers attending falconry meetings and events. Issues such as incomplete record keeping, untimely permits and reports, banding violations, laundering birds among permits, trapping/capture violations, possessing more birds than authorized, and facilities not meeting state requirements were uncovered. Division of Wildlife officers along with the USFWS agents inspected every falconer in Ohio, contacting seventy individuals and conducting sixty-four facility checks. The most common violation that officers found during the inspections was facilities not meeting state standards. Additionally, some birds were not banded, leading to concerns that the birds were captured or acquired illegally. During the inspections officers checked freezers of falconers for any dead raptors (in Ohio it is illegal for a falconer to keep a raptor once it is deceased). Interesting finds included various birds and game animals possessed or taken illegally. After questioning each falconer concerning Ohio laws and/or any discrepancies that were found while reviewing all records, officers learned that falconers typically knew what the state and federal laws were; however, they still violated them. Also, some bird banders were discovered to have supplied birds to falconers illegally. At the conclusion of the investigation twelve individuals were cited for a total of sixteen violations, twenty-seven warning letters sent out, three falconry permits suspended, one propagation permit suspended, thirteen falconers removed from active status, and two raptors seized and forfeited to the state.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT

The Division of Wildlife is continuing to implement the new Multi Agency Radio Communications System (MARCS) among all commissioned officers. The MARCS radio system will provide service to officers throughout the entire State of Ohio including mobile data and voice communications, computer aided dispatch, automated vehicle locator using GPS technology, geographic mapping, records management, and LEADS/NCIC Access. These services will be facilitated through the use of a secure, statewide 800-megahertz digital trunked radio system. Other law enforcement divisions of the Ohio Department of Natural Resources (Watercraft, Parks, Forestry) and the Ohio State Highway Patrol, as well as some local agencies utilize the system. Each wildlife officer and wildlife officer supervisor now has a removable mobile computer terminal

(MCT) in their vehicle along with the digital voice radio system used by all officers. The computer system also features a “moving map” display pinpointing officers’ location and area features. Implementation of the next system phase which includes an in-vehicle printer capability is scheduled for the fall of 2006. Although a significant improvement over older radio systems in some areas, the high cost of the new equipment and problems with poor coverage in key areas and equipment reliability issues have been challenging.

Law enforcement staff has been working with the game and fish laboratory at the University of Wyoming and the lab is now able to conduct forensic examinations of evidence relating to the illegal taking and possession of Ohio whitetail deer. Wildlife officers have collected over 100 samples from whitetail deer killed throughout Ohio to provide to the lab as part of a DNA evidence database. This technology allows evidence such as blood, hair, hide, and antlers taken from different areas to be matched and identified as coming from the same animal and has already been used as a powerful tool for wildlife law enforcement on several investigations throughout Ohio.

The aviation program received improved capability with the addition of a forward looking infrared (FLIR) system to our helicopter. The system will be used in a variety of wildlife management and law enforcement roles including surveys and locating animals, people, and evidence in darkness. The system also has a digital daylight camera and search and track feature to record information in a variety of settings. We are working on having the system available for use our two fixed wing aircraft this year.

Harvest record forms completed by successful hunters for deer and turkey at check stations are now scanned into a computer after collection which produces an electronic database of information. Besides providing faster and improved harvest management information the system also provides computerized records of hunter harvest and check in, including names, dates, times, locations, and tag numbers. Officers have been able to use the system to quickly locate specific violations and suspects and sort information for a specific area or violation. In particular, the database has allowed officers to identify widespread abuse of free landowner deer tags in one area. The law enforcement benefits should improve as the system is refined in future years.

STATE, REGIONAL AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES, AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT

Legislation has been introduced to allow the State of Ohio to become a member of the Wildlife Violator Compact and for the Division of Wildlife to enter into agreements with other state, federal, and local law enforcement agencies for mutual and cooperative enforcement activities. In addition to the legislation previously mentioned involving deer, elk, and moose carcasses from CWD-affected areas and the commercial fishing regulations, additional legislation proposals or changes included the development of further rules for increased monitoring and enforcement of captive cervids and wild animal hunting preserves in Ohio, clarification and adjustment of forfeiture guidelines and processes, restitution language, and several definition adjustments under the Ohio Administrative and Ohio Revised Codes. Recently signed into law was a new category of hunting license and fur taker permit called the “Apprentice Hunting License and Fur Taker Permit.” The apprentice license was developed as part of a nation-wide effort called Families A field whose projects are designed to remove barriers that prevent

hunters from passing along the hunting heritage. Apprentice hunting licenses and fur taker permits allow new hunters and trappers to sample the experience of hunting prior to completing a hunter education course, while under the mentorship of and accompanied by a licensed adult hunter or trapper. To obtain a regular hunting license or fur taker permit, a hunter and trapper education course must be completed.

COST SAVINGS INITIATIVES

Internet sales of license and permits have continued to increase since this option was made available several years ago. We have been promoting and encouraging use of the internet to obtain and submit controlled hunt applications as a cost saving measure over traditional mail-in information.

OTHER LAW ENFORCEMENT ISSUES

Like many agencies we were affected by the National Institute of Justice (NIJ) rulings concerning the material Zylon used in many styles of body armor. Our issued body armor was made of a combination of materials but included Zylon. We are replacing all currently issued soft body armor with a new type of armor that does not contain any Zylon. We are also issuing a new vest carrier that should improve individual officer comfort and specific fit. In addition to a soft trauma plate for the vests, each officer will be issued a semi-rigid trauma plate that is capable of stopping rounds from a 12 gauge slug. We are evaluating the possibilities of issuing an external vest carrier for body armor to officers also.

**Ontario Ministry of Natural Resources
Association of Midwest Fish and Game Law Enforcement Officers
Provincial Report
2006**

Training Issues

Basic Training

- MNR's current basic training for Conservation Officers, Level 1, is 4 weeks in length
- Each officer is also required to attend initial firearms and initial self-defense training for an additional 2 weeks
- Subsequent mandatory courses are required as officers acquire field experience i.e. Level 2 within 5 years of appointment
- MNR's Basic Training is currently under review with a modular concept being proposed
- New structure will align with industry trends –likely to be approximately 16 weeks in length

- Modules will accommodate both Alternate Service Delivery (ASD) as well as internal delivery of subject materials
- MNR will establish standards for Equivalencies to selected Modules to allow for integration of acceptable educational certificates and courses i.e. community college diplomas
- Ensure up to date training to better prepare Conservation Officers for new role

Funding and Staffing Issues

Strengthening Governance

The current Governance Model for the Ministry of Natural Resources Enforcement Services has changed.

Influence Model (pre: April 1, 2006):

- Centralized governance of policies, standards and specialized services
- Decentralized deployment of the ministry's Field Conservation Officers integrated with other functions such as resource management, planning and allocation
- Enforcement Branch developed policies, set standards, and carried out specialized duties
- But field staff were not direct reports and adherence to law enforcement standards varied

Direct Delivery Model (post April 1, 2006):

- Field enforcement staff now a direct report to Enforcement Branch:
Provincial Enforcement Operations Section
- Compliance Leadership Model to enhance integration of leadership, policies, standards and training across all program areas (Compliance Steering Committee)
- Regulatory Modernization to strengthen enforcement -accountability, professionalism and protection of public rights
- Corporate Compliance Governance Officer
- Provincial Coordination Unit (Enforcement) report to Enforcement Branch

Drivers for Change

- Judicial Reviews (i.e. Justice O'Connor/Haines), significant court cases
- Enforcement Program Evaluation -Risk-Based Planning
- Need for better integration -across all program areas
- Increasing Health/Safety, legal liabilities associated with law enforcement activities
- The current Ministry organizational structure can create a conflict of interest (real or perceived)
- Enforcement technical knowledge and capacity varies across the province
- Inconsistent administration of justice
- Financial pressures

Enforcement Intern Program

- Estimate 25% to 30% of Conservation Officers will retire within next 5 years
- Have initiated an Enforcement Intern program
- Create new potential for Conservation Officer recruitment

- Four intern positions in 2005/06 and
- Four additional positions in 2006/07
- Candidates are appointed as Deputy Conservation Officers in the first year and work with coach officer
- Second year are eligible to receive an acting Conservation Officer appointment and continue to be paired with a coach officer

Major Conservation Law Trends

MNR Supporting “Public Safety Mandate

- Conservation Officers conduct directed patrols in remote areas of the province and incidental to core enforcement activities often encounter public safety violations.
- In order to support Police Services and ensure public safety in these remote areas Conservation Officer powers have been expanded to include provision for enforcement of the:
 - Federal Small Vessel Regulations –(boating safety, PFD’s, etc)
- Enforcement Branch is continuing to pursue powers under:
 - Liquor Licence Act –(related to liquor other than a residence)
- Enforcement of the Small Vessel Regulations and other non-MNR Statutes (Motorized Snow Vehicle Act and Off-Road Vehicles Act) will be incidental to core enforcement activities and in support of public safety

TIPS Line

- In September of 2005 the Minister announced the implementation of a new toll -free number to report all resource violations 24 hours a day, 7 days a week
- Allow Ontarians and Ontario resource users to help protect our natural resources by reporting known or suspected violations
- TIPS MNR launched September 27, 2005. To date (May 06), MNR has received 1800 calls, forwarded 1408 TIPS to the field.

Unique Cross Boundary or Cooperative Enforcement Efforts

Regulatory Modernization Act

- In February of 2006 a new piece of legislation (*Regulatory Modernization Act*) was introduced to parliament, if passed this legislation would strengthen current capabilities for:
 - Effective use of information:
 - Working better together;
 - Targeting chronic violators.
- A High Performers Strategy that recognizes exceptional performance within the regulated community;
- A Chronic Violator Strategy that targets that small segment of the regulated community that commits serious, repeat violations of regulatory statutes;
- Allow ministries and other regulatory agencies to collect use and share specific business-related information for compliance purposes

Agriculture Investigations Unit

- Co-operative Agreement signed by Ontario Ministry of Natural Resources and Ontario Ministry of Agricultural Food and Rural Affairs (OMAFRA) in February 2000
- OMAFRA responsible for education to obtain voluntary compliance
- MNR responsible for investigations into suspected illegal activity
- Provide quality law enforcement, investigative services, lay charges, liaise with legal services and prosecute violators
- Priorities -risks, resources and OMAFRA-MNR consultation
- One supervisor and 5 investigators
- In 2005 Agricultural Investigators received cross appointment as Conservation Officers
- Cross Appointment allows for utilizing MNR Conservation Officers to support other provincial regulatory agencies
- Recognizes and utilizes Conservation Officer investigative and enforcement expertise
- Provides diversity in the job –at present have a number of officers who have stepped forward to and are involved in agricultural investigations

New Innovations Conservation Law Enforcement

Risk Based Planning Framework

- In order to strengthen the enforcement program and to deliver on its mission and vision, the ministry is moving towards a formalized risk based approach to compliance
- The new compliance framework will be based on risk assessment principles that will enable the MNR to focus its work and response to incidents on the risk posed to human health and safety, our natural resources and the economy.
- The goal of the implementation of a risk based compliance framework is to enable the Ministry to focus its enforcement resources on the area of greatest risk.

These will include;

- ***Focusing proactive work on areas of highest risk***
- ***Prioritizing incident/complaint response based on risk***
- ***Prioritizing resources for special investigations based on risk***
- ***Linking enforcement action to the risk posed by the infraction and the perpetrator***
- Utilizing the risk principles, and building on work done by the provincial, Inspection, Investigation and Enforcement Secretariat and other regulatory agencies the planning framework
 - Identifies the risk receptors, the undesirable events that may impact those resources, and an evaluation of the likelihood of one of those events happening and the consequences that such an event produce.
 - Ranks those risks utilizing existing data and best professional judgment
 - Enforcement Operational Plans have been completed at a District, Regional and Provincial level.

Provincial Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

Legislative Improvements

- The Ministry of Natural Resources is moving to update 2 key pieces of legislation, the Provincial Parks Act and Endangered Species Act

Provincial Parks Act

- New legislation has been introduced to parliament to replace the current Parks Act:

Provincial Parks and Conservation Reserves Act

- The proposed legislation would ensure our protected areas stay strong and healthy and can be enjoyed by Ontarians now and in the future.
- Included in the proposed legislation is an up-to-date enforcement framework, consistent with the priority placed on protection of natural values:
 - Updated fines and penalties
 - Appropriate enforcement powers for officers

Ontario has a world-class system of protected areas that currently includes 319 provincial parks, 280 conservation reserves and 10 wilderness areas covering more than nine million hectares.

Endangered Species Act- Species at risk legislation review

- Working with an advisory panel, the ministry has developed a number of proposals to be consulted on as part of the review. The proposals look at:
 - Providing broader protection provisions for species and their habitats
 - Including more effective enforcement provisions
 - Increasing penalties for violators
 - Enhancing facilitation of stewardship and recovery activities
- Acknowledging the important role of private landowner involvement and stewardship approaches
- Complementing the federal Species at Risk Act in a manner that reflects Ontario's needs.

Ontario is home to more than 15,000 species of plants and wildlife. Currently, 176 of these species are identified as being at risk, which means they may disappear from the province if their rate of decline continues.

Other Special Law Enforcement Issues

2006 Law Enforcement Conference

- The Enforcement Branch hosted a 3 day conference at the end of February 2006
- The theme was "Natural Resource Compliance and Enforcement in the Future"
- All Enforcement Supervisors, Conservation Officers, Enforcement Interns and Branch staff were invited to attend
- First time since 1992 –14 years that all enforcement staff had been brought together

- Opportunity to bring staff together for rewarding professional and networking experience.
- Conference featured a number of keynote speakers and a large number of development and training sessions.

**AMFGLEO Agency Report
Saskatchewan Environment
Submitted by: Bill Zimmer**

In the past year, Compliance and Field Services Branch within Saskatchewan Environment (SE) completed a Benchmark Study and a Strategic Analysis of the Benchmark Study. The Benchmark Study was initiated in 2004 after a significant reduction in the number of conservation officers and clerical support staff occurred as a result of financial constraints. The Benchmark Study and subsequent Strategic Analysis identified deficiencies in staff and operating funds. The analysis was presented to senior government in a business plan format. The plan prioritized areas where additional staff were required and identified the framework for re-staffing over a five-year period.

In 2006/07 fiscal year, two additional permanent conservation officers will be hired and operating funds were increased for all SE conservation officers. Additional funding is available to increase the number of clerical support staff and it is anticipated further increases in staff numbers will be achieved in future years as identified in the Benchmark Study.

Several undercover investigations were concluded in the past year. One investigation was conducted in conjunction with Manitoba Conservation and involved individuals from the provinces of Manitoba and Saskatchewan. The violations were related to trafficking of wildlife meat and antlers and trafficking of wildlife harvested under Treaty Indian rights. In several instances, wildlife was traded for drugs. One of the Saskatchewan residents charged has plead guilty to the offences and was sentenced to four years in jail.

Another special investigation concluded involved a migratory bird outfitter who was allowing clients to grossly exceed possession limits for migratory birds with the birds being discarded. The investigation was conducted in conjunction with Canadian Wildlife Service officers. The outfitter was fined \$20,000 for the offences committed and the clients fined a total of \$13,000.

Other investigations, as well as Canada/US border inspections, revealed a continued disregard for upland bird limits and a disregard for regulations relating to white-tailed deer hunting by Canadian and non-Canadian residents.

After several attempts to implement an alcohol ban in Saskatchewan Provincial Parks campgrounds on the May long weekend, approval was granted to implement a ban on the 2006 May long weekend. The alcohol ban prohibited the possession and consumption of alcohol in all provincial park campgrounds throughout the May long weekend. The alcohol ban was in response to an increasing number of incidents relating to rowdyism, vandalism and obnoxious behavior by park visitors, mostly as a result of alcohol abuse. The alcohol ban proved to be highly successful and resulted in a significant reduction in the issues described above.

Enforcement priorities and emerging issues must be constantly analyzed in Saskatchewan similar to other jurisdictions. Saskatchewan is in the final stages of conducting a “risk analysis” on all environment and resource protection activities. The analysis will identify species that are at a high risk of becoming endangered and also identify activities that pose the greatest risk to the environment. Annual work plans will incorporate the risk assessments and enforcement priorities will consider the risk to the resource and environment.

State Report – Wisconsin
Submitted by Chief Warden Randy Stark
Director of Law Enforcement
Wisconsin Department of Natural Resources

Training Issues

Nine members of the 2005 recruit class completed their training and were assigned to field stations last December. The 2006 Class began academy training in January and they are now in field training assignments. They will also be involved in a number of weeks of specialized training this year.

Funding was approved for the purchase of new law enforcement rifles for conservation wardens. During the summer of 2006 all wardens will be issued a .308 caliber Springfield Socom for their Law Enforcement Duties. Training for all wardens in the use of new rifles is expected to be completed before December of 2006.

Annual re-certification training for all full-time and deputy conservation wardens was completed in January and February. Again this year, wardens from the Great Lakes Indian Fish and Wildlife Commission were involved with the training.

All conservation wardens were trained on the use of eyewitnesses to identify at our annual re-certification sessions early this year. In addition, our new policy is being completed. See more under the State regional and National Issues section.

For the first time in 2006, the Bureau of Law Enforcement ran its own Dept. of Justice, Certified Law Enforcement Academy. This change allowed the recruit selection to include non-certified candidates who possessed the qualities we look for in our wardens but who were not certified by DOJ. We have also required mandatory fitness/wellness training at the recruit level. At the present time we require no standard, just participation in the program. Recruit wardens have also been taking 20 hours of LE Spanish during the recruit program.

Funding and Staffing

Funding issues continued to be problematic for the entire agency in FY 2006. Within the Bureau of Law Enforcement a legislative change eliminated Regional Warden salaries. The positions were reinstated, but the funding was not, thus the agency had to rely on vacancy savings to fill the financial void in 2006. The problem is expected to leave the Bureau in the red during FY 07.

The Legislature provided one time funding to replace aging mobile and portable radios, computers and Mobile Data Computer systems. Additional funding to continue the replacement process for the never-ending and aging equipment will be sought in future sessions.

The agency as a whole is interested in exploring alternative funding due to demographic changes, access difficulties, competing recreational demands. It's predicted that these issues and others will lead to reduced license purchases (which is the main funding source for the agency/Bureau).

The Bureau hired 9 recruits and 1 recreational safety warden in January 2006. The vacancy rate at the close of FY 06 is expected to be at 15. Complicating the vacancy rate, the Bureau expects between 7 - 9 retirements in FY 07.

We anticipate being able to hire 10 new wardens for the class of 2007 scheduled to begin next January. The application process opened in May 2006. The hiring process will likely just replace those wardens that are retiring.

In addition to hiring recruit wardens, we are in the process of selecting a new Assistant Training Director within the Bureau of Law Enforcement; this position was vacant during 2006.

In 2006 the Bureau of Law Enforcement filled all but one vacant position in the Special Investigative Unit. This unit is made up of a supervisor and one overt investigator for each of the 5 Regions of the state and another overt investigator located in Madison. The primary duty of these wardens is investigation and enforcement of all aspects of commercial natural resource operations (i.e. commercial fishing on the Great Lakes and the Mississippi river, captive wildlife trade, taxidermy, illegal sale of fish and game, covert investigations of unlicensed commercial operations or habitual violators, special surveillance installations, residency fraud checks, etc). The Special Investigation

Wardens also work in conjunction with other state and Federal fish and game law enforcement officers, USDA, WIS - Dept. of Agriculture, and Dept. of Health and Social Services.

Major Conservation Law Enforcement Trends

Wisconsin continued to experience a high number of snowmobile fatalities. A majority of the fatal accidents occur during hours of darkness and involved alcohol and high speeds. A nighttime, 55 mph speed limit has been enacted for the winter of 2006-07. Conservation Wardens and County Snowmobile Patrols will concentrate on enforcing this new law. The new law is expected to reduce fatal incidents and proportionately increase the number of intoxicated operators arrested. Television and radio PSAs have been recorded with Blair Morgan, a world champion snow-cross racer, promoting slower speeds while snowmobiling and not drinking alcohol while riding. See additional information under the State, Regional and National Issues section.

The number of registered ATVs in Wisconsin continues to grow. Current numbers are near 300,000 registered machines. Along with registrations, fatal accidents are also on the rise in this program. The Bureau requested an additional \$300,000 for County Patrols, which also are increasing and currently insufficiently reimbursed. Wardens will begin enforcing a new 96 decibel noise limit on ATVs, potentially protecting trails from being closed due to noise complaints.

Wisconsin Conservation Wardens will make their presence known at boat landings while checking for aquatic invasive species on boats, motors and trailers this summer. While enforcement is an option, Wardens will be trying to educate the public by distributing brochures, submitting articles about invasives in the local newspapers, and meeting with lake associations to gain their cooperation at boat landings.

Conservation wardens will also look at vectors for invasive species that have previously not been closely watched. Wardens will be working in cooperation with neighboring states, US Fish and Wildlife Service, and the Wisconsin Department of Agriculture, Trade & Consumer Protection to investigate unlicensed or un-inspected bait dealers who could be bringing invasives across state lines into our state. Wardens will work with a number of different trade industries to more closely monitor the movement of invasive plant and animal species in the horticulture, aquarium, as well as aquaculture trades.

Wardens are working with wildlife staff on Avian Influenza by watching for signs of Avian Influenza through surveillance of water bodies and fielding calls from citizens pertaining to dead and dying waterfowl, and working to ensure compliance with captive game bird farms.

Unique Cross Boundary or Cooperative, Enforcement Efforts

Project Brother was a two-year investigation into illegal white-tailed deer and wild turkey guiding and hunting in southwestern Wisconsin. The investigation was conducted jointly by the Wisconsin Department of Natural Resources and the US Fish and Wildlife Service. The investigation was accomplished using both overt and covert techniques as well as numerous other investigative methods. In May 2005, in connection with interviews and six search warrants executed across the United States, officers seized over 30 mounted trophy deer as well as numerous firearms and bows. State violations included hunting deer and turkey without licenses, hunting deer and turkey during the closed season, shining and shooting deer at night, baiting, illegal transportation of firearms and bows, and failing to tag and register deer and turkeys. Federal violations included illegal interstate transportation of wildlife, false labeling, and conspiracy. The investigation resulted in state and federal charges against 48 individuals from eleven states. The success of this case would not have been possible without the outstanding cooperation between the Wisconsin Department of Natural Resources, the US Fish and Wildlife Service, and the US Attorney's Office as well as several other state fish and game agencies.

In 2006 the Wisconsin Legislature passed a bill allowing the state to become a member of the Wildlife Violator Compact. We will be asking for a position to run this program since the request to create an FTE was denied. It's predicted that this program, if provided the FTE will require another year of rule making before it's fully implemented. See additional information under the State, Regional and National Issues section.

New Innovations in Conservation Law Enforcement

The Snowmobile Accident Reduction and Alcohol Enforcement patrol will continue for a second season. This six warden patrol team travels to areas of Wisconsin that experience a high number of fatal accidents or high amount of snowmobile activity and rigorously enforce snowmobile laws, especially operating while intoxicated. The team is highly visible traveling with marked, enclosed snowmobile trailers, operating marked snowmobiles and wearing highly visible uniform items. Television, radio and newspaper media are utilized to greatly advertise the team's presence.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement

The Wisconsin Legislature passed a number of bills which were signed into law this past year. The following is a summary of some of the changes which have occurred.

Assembly Bill 26 which was signed into law on April 8, 2006 now allows the Wisconsin DNR to become a member of the International wildlife violator compact, which is currently has membership of over 20 other states. To help pay for the annual cost to administer this program, this legislation also created a \$5 "Wildlife Violator Compact Surcharge" that would be applied to the penalty imposed on each person convicted of a Fish or Wildlife violation in

this state. The Bureau of Law Enforcement will now be working to develop policies, procedures and administrative rules needed to implement this new program. The current target date for Wisconsin to become a member state is July 1, 2007.

Assembly Bill 131 was signed into law and effective April 21, 2006 allows the nonresidents that reside in a state which allows a Wisconsin resident to trap in their state to obtain a trapping license to trap in Wisconsin. Prior to this legislation it was not possible for any nonresidents to purchase a Wisconsin Trapping license. All nonresident who want to trap in Wisconsin however, must first pass a Trapper Education Course and obtain a Wisconsin Trapper Education Certificate.

AB-581 was introduced and passed this legislative session. This bill was the outcome of several years of work by a Commercial Fishing Task Force made up of DNR fisheries, law enforcement and Commercial fisherman to improve licensing, vehicle identification, and record-keeping requirements for wholesale fish dealers and commercial fishers, inspections of wholesale fish dealer and commercial fisher records and premises, commercial fishing boats, periods when a commercial fisher may fish on the waters of Green Bay, the sale and purchase of eggs from certain trout and salmon, commercial fishing approval fees, seizure of certain fishing devices, access to places used to store or retain wild animals, establishing a commercial fish reporting system, imposing certain surcharges, providing an exemption from emergency rule procedures, extending the time limit for emergency rule procedures, making an appropriation, and providing penalties. As a result of this rewrite of the commercial and wholesale fish dealer statutes, new rules will now need to be developed as well.

The DNR passed a rule which closed the commercial clamming seasons on the Wisconsin-Iowa boundary waters and the Mississippi River portion of the Wisconsin-Minnesota boundary waters (i.e., the Wisconsin waters of the Mississippi River). The open season dates established in NR 24.09 (1) (a) and (b) for all commercial clam shelling, which formerly were April 1-August 31 have been changed to "No open season."

With the discovery of chronic wasting disease in Wisconsin, several issues can to light that needed legislation to address. Assembly bill 609 was passed into law to give the DNR authority to promulgate rules to regulate the transportation, possession, control, storage, and disposal of the carcass of a cervid to control chronic wasting disease, even after a deer has been registered. The bill also allows DNR to promulgate rules prohibiting the transportation of the carcass of a cervid from another state or country in which chronic wasting disease has been confirmed in a cervid. This legislation specifies that any new rules may not apply to certain types of meat and antlers, including deboned meat, wrapped meat, and finished taxidermy heads. Also under this bill, a person is required to provide DNR with sample tissue or data derived from any wild animal if that sample is needed to determine the extent of a disease in wild animals. Disposal of deer carcasses from the CWD endemic area has also been a costly issue as landfills were not willing to accept such deer. The bill also allows DNR and DATCP to enter into agreements with persons who own or operate landfills, meat processing facilities, or wastewater treatment facilities to indemnify them from any future

damages that might result from processing or disposal of cervids that have chronic wasting disease.

Under previous law, Wisconsin was not able to accept or recognize Hunter Education Certification from other Countries & Provinces, but only from other states. Assembly Bill 800 was signed by the Governor on 4-8-2006 as 2005 Wisconsin Act 289. Under this Act, the DNR can accept a certificate of accomplishment, license or other evidence satisfactory to the department indicating that a person has successfully completed in another state, country, or province a hunter education course recognized by the department.

To help reduce the number of snowmobile accidents and fatalities occurring in Wisconsin, a one year trial of a reduced night time speed limit has been passed which will take effect beginning on July 1, 2006 and sunsets on July 1, 2007. This bill creates an overall prohibition that no person may operate a snowmobile at a speed exceeding 55 miles per hour during the hours of darkness anywhere. Current law defines "hours of darkness" to be the time between ½ hour after sunset and ½ hour before sunrise and any other time when there is not enough natural light to clearly see a person or vehicle 500 feet away. This new 55 mph restriction is only in effect for one year, unless the legislature repeals the 12 month sunset provision included in this bill.

As part of the states continuing efforts to make it easier for youth to participate in and be exposed to outdoor activities and the states natural resources, a new law was passed to allow nonresident children of a Wisconsin resident to pay the same fee for hunting approvals and fishing licenses as a resident. The fees for hunting and fishing approvals for a 12 to 17 year old who is not a resident and who can exhibit proof that his or her parent is a resident shall be the same as the fees for hunting approvals for residents. This change took effect on December 31, 2005.

Recent legislation was also passed to further improve the Department's outdoor educational programs. As a result of Assembly Bill 842, the Department may now use any equipment seized as part of a violation of state laws administered by the department in outdoor education courses, such as hunting, fishing, trapping education programs. In the past the department was required to sell such equipment and the funds were required to go into the state general fund. This bill also directs that all proceeds from the sale of furs that are put up as part of the states trapper education program be deposited in a fund specifically for use in the trapper education program.

The Wisconsin Supreme Court, on July 7, 2005, exercised its supervisory authority over the court system to require that law enforcement agencies electronically record custodial interrogations of juveniles if they are conducted at a place of detention and to require that, if feasible, law enforcement agencies also electronically record custodial interrogations of juveniles that are conducted at a place other than a place of detention. (See *State v. Jerrell*, 2005 WI 105.)

The State Legislature later passed a bill which codifies the *Jerrell* recording requirement. The law now requires that law enforcement agencies make an audio or audio and visual recording (recording) of a custodial interrogation of a juvenile who is suspected of committing a crime if the interrogation is conducted at a place of detention. Law enforcement agencies must make a recording, if feasible, of a custodial interrogation of a juvenile suspected of committing a crime if the interrogation is conducted at a place other than a place of detention. Several exceptions might apply.

- This law defines “custodial interrogation” and “place of detention”. The new law provides that a statement made by a juvenile during a custodial interrogation which is not recorded is not admissible in evidence unless one of a few exceptions applies.
- This law further requires the recording of a custodial interrogation of an adult suspected of committing a felony (a crime punishable by confinement for one year or more in a state prison), unless good cause is shown for not making a recording, or unless certain exceptions apply.
- Because a 17 year old suspected of committing a crime is treated as an adult, the requirement for recording a custodial interrogation of a juvenile does not apply to 17 year olds, unless the 17 year old is suspected of committing a felony.
- This law requires law enforcement agencies to adopt written policies governing the use of an eyewitness to identify a person suspected of committing a crime. The policies must apply to practices under which an eyewitness identifies a suspect upon viewing him or her in person, such as in a lineup, and to practices under which an eyewitness identifies a suspect upon viewing a representation of the suspect, as by viewing a photograph array. The policies must be designed to reduce the potential of erroneous identifications by eyewitnesses.
- These new requirements took effect December 31, 2005, except the required recording of adult felony interrogations which takes effect 1-1-07.
- The new law created a grant program administered by the Office of Justice Assistance to provide law enforcement agencies funding for the purchase, installation, or maintenance of equipment for making digital recordings of custodial interrogations and for training personnel to use such equipment. The grant program is to be funded by increasing the penalty surcharge amount from 25 percent to 26 percent.

Cost Savings Initiatives

The Bureau further developed its use of electronic employee reporting for time, activity and vehicle use. This system (DEARS - similar to MN) was recently upgraded to allow electronic balloting for use with the Conservation Congress; which is a democratic minded function that allows the public to weigh in on natural resources issues using a voting process.

The DEARS program will also be changed to accommodate a new process of handling patrol vehicle expenditures. As do a number of states, WI charges each station/district according to the number of patrol miles accrued in each station/district. In an attempt to

streamline and reduce vehicle charges against individual stations, the Bureau tested a new method for charging against vehicle use. A flat fee (monthly charge) was used during the test versus a per mile charge. The flat fee allows a warden to drive unlimited miles without a cost increase that FY. This is possible says our Fleet manager because the flat rate still covers depreciation, maintenance, fuel, etc. on an overall expectancy basis. It also allows the Bureau to know better what the annual fleet costs will be. Since this program is new, initially there will be more art than science that's applied to see how the efficiencies can be improved upon. Evaluation of the flat fee during the test phase appears to show efficiencies gained.

The Bureau is expected to implement DSL (high-speed Internet) service for wardens who can acquire the technology in their stations/districts. Currently, wardens not stationed at state facilities gain access to email and the WWW through dialup. DSL is expected to reduce waiting time for large file downloads/uploads, synchronizations, etc. A cost analysis indicates overall costs will remain nearly the same, however, efficiencies will be gained with time and we expect less frustration for wardens.

Mobile Data (computer) Browser (MDB) upgrades were implemented within the Bureau during FY06. The technology allows wardens to have greater access to driver information, wants warrants, vehicle and DNR license information without having to rely 100% on dispatch services. MDB use is not 100% available in every corner of the state, but the upgrade increased access substantially. The new MDB also increased data input and return speed which in turn has improved the use and acceptance by the field.

The Bureau will begin purchasing snowmobiles that have clean burning engines (4-stroke) to augment its fleet of older, less efficient machines.

Other Special Law Enforcement Issues

The Bureau of Law Enforcement began developing a 5-7 year strategic plan. The process involved a planning team made up of law enforcement personnel who facilitated meetings within the Bureau and with non-LE agency staff and citizens. These meetings were designed to find out what people thought was important to the future of hunting, fishing, environmental resource protection, etc., as well as gather thoughts on resource education, funding and issues affecting all citizens of WI. The Bureau is also using a questionnaire that is web driven an attempt to gain a broader perspective of thoughts from not only traditional users, but also from those who have little to no knowledge of traditional recreation activities. The team is expected to conclude their work during the winter of FY 07.

Funding is needed to purchase new docking stations and extra IP Mobilenet radios for new hires. At this time we don't have enough IP radios or computers for the new recruit class. Our old computers and old docking stations are not able to handle both IP and Delorme GPS functions at the same time as there isn't enough power in the break out box for both.

Wisconsin conservation wardens participated in the first ever Youth Outdoor Expo that was held May 19-20 at the Dodge County Fairgrounds. Approximately 3,500 children aged 9-12, some from as far away as Taylor County got a chance to shoot air rifles, shoot a bow and arrow, handle fish, cast a fly rod, tie a fly, handle furs, start a fire without matches, learn how to paddle a canoe, call a duck or a turkey, study invasives (harmful bugs and weeds), learn how to carve a decoy, learn Native American traditions, pitch a tent, learn about ATV safety, study wildlife tracks, and yes, listen to a President Theodore Roosevelt imitator talk to them about the importance of hard work, conservation, and the responsibility that comes with citizenship.

Conservation wardens participated in the Expo by mentoring youth on the safe use of firearms. Participating children and adults were provided an orientation to safe handling, they were then ushered to another station for instruction on siting-in firearms and finally each child was paired up with a conservation warden to shoot a BB gun at a paper target. The Bureau effort was an attempt to create memories and deliver a positive experience with hopes to kindle a lifelong interest in the outdoors.

Homeland Security

Bureau of Law Enforcement deployed 31 personnel to assist in response efforts for the Stoughton Area Tornado. Seven enforcement people were involved in monitoring requests for assistance through the Emergency Management Assistance Compact (EMAC) and preparing to deploy in response to Hurricane Katrina. Due to these activities an Emergency Response Trailer will be available for future responses. The trailer is for Law Enforcement personnel and will be used as a response and Command Unit. Training will be conducted for personnel assigned to use the Trailer. The goal is to have 10-12 wardens and other department employees per the five regions to serve as an Emergency Response Unit.

Section Chiefs and most of Management have completed Incident Command System training at the 300 Level. Due to scheduling and new assignments 3 management personnel were unable to attend the training but are scheduled for late summer of 2006. Two Training Officers, three Environmental Wardens, two Regional Wardens, and the Emergency Management Officer have completed Enhanced Critical Incident Management/Unified Command training Texas A&M University while 5 more are scheduled to attend by the end of summer 2006.

Wardens in Green Bay, Milwaukee, Superior, and Lacrosse participate in Homeland Security efforts with the Coast Guard, Federal Bureau of Investigation, Wisconsin Emergency Management, and Office of Justice Assistance. The Administrator of Enforcement and Integrated Science Services represent the Department on the Governor's Homeland Security Council and the Emergency Management Officer is the alternate. The Safety Section Chief and the Emergency Management Officer are members of the Executive Committee for Maritime Security for western Lake Michigan Sector and have Security Clearances.

The Emergency Management Officer also serves as: Leader of the Department Wide Emergency Management Security Team; Wisconsin representative on the National Regional Response Team; Department member on the Committee for Continuity of Operations Plan; and Deputy Incident Commander of the Department's Avian Influenza Team. A member of the Bureau's Covert Investigation Team also participates on the Avian Influenza Team.