



**2007**

**Law Enforcement Annual Reports**

**Association of Midwest Fish and Game Law Enforcement Officers**

**2007 Law Enforcement Annual Reports**

**Index of States/Provinces Responding**

Colorado  
Florida  
Indiana  
Kansas  
Manitoba  
Michigan  
Minnesota  
Missouri  
Montana  
Nebraska  
North Dakota  
Northwest Territories  
Oklahoma  
Saskatchewan  
South Dakota  
Texas  
Wisconsin



**IAFWA Law Enforcement Committee**  
**Colorado 2007 Annual Report**  
**By Bob Thompson, Assistant Chief of Law Enforcement**  
**May 14, 2007**

**Training Issues**

The Colorado Division of Wildlife currently has ten District Wildlife Managers (DWMs) going through the Colorado P.O.S.T. academy to obtain their basic law enforcement training and certification. State statutes require that anyone applying for employment in Colorado be a resident of the state unless an exemption is granted. The CDOW recently obtained an exemption and are advertising nation wide for DWMs and will possibly be conducting a second training class this summer. Below is the announcement that went out nation-wide.

**Unique Opportunity! Colorado Division of Wildlife Hiring District Wildlife Managers (4/17/2007 Division of Wildlife)**

*DOW is seeking experienced Wildlife Officers.*

Are you an experienced Wildlife Officer? Have you ever wanted to bring your talents to Colorado? The Colorado Division of Wildlife is seeking dedicated professionals for the District Wildlife Manager position, and we are offering special hiring incentives. You'll be doing multi-faceted work in wildlife management, law enforcement, community education, and customer service. Our law enforcement efforts are nationally recognized and each officer is supported through progressive and ongoing training. Openings are available statewide in settings surrounded by Colorado's unparalleled majestic landscapes.

Applicants must be employed in wildlife law enforcement and must have at least 2 years of experience in wildlife management and law enforcement. It is preferred that applicants have a bachelor's degree in natural resources, biology, wildlife management, environmental science, zoology, fisheries, or another closely related field, however, appropriate work experience may be substituted on a year-for-year basis for the degree. Special considerations will be given to P.O.S.T. certified applicants. *All experienced wildlife officers are encouraged to apply.*

To apply, view the job announcement at:

<http://www.gssa.state.co.us/announce/Job%20Announcements.nsf/db6c8f38dedd5fae872572ac0073a5d5/5624e085272661b2872572c0006dee4e?OpenDocument>

Complete the Demographic Information Form and Application for Announced Vacancy at:

[www.gssa.state.co.us/announce/Job+Announcements.nsf/Web+Pages/WelcomeAppl?OpenDocument](http://www.gssa.state.co.us/announce/Job+Announcements.nsf/Web+Pages/WelcomeAppl?OpenDocument)

**Submit the forms by May 11, 2007 to:**

**Department of Natural Resources**  
**Attention: Joyelle Maddux, Human Resources Office**  
**1313 Sherman Street, Room 415, Denver, CO 80203**  
**FAX (303) 866-6499**

**For questions on the application process, email [joyelle.maddux@state.co.us](mailto:joyelle.maddux@state.co.us).**

**For questions about the position, contact John Hood, Training Manager, at [john.hood@state.co.us](mailto:john.hood@state.co.us) or 303-291-7214.**

Wildlife officers were recently exposed at annual In-service Training to forensic entomology and how it can be used in wildlife law enforcement. Forensic entomology has been around for quite some time but has never been used extensively in

Colorado for wildlife law enforcement and the potential for its use was pointed out and Colorado is looking forward to the results of Carleen Gondor's study in Montana that AMFGLEO helped sponsor.

### **Funding and Staffing Issues**

CDOW Director Bruce McCloskey has announced his retirement after more than three decades of dedicated service to the Division of Wildlife and the citizens of Colorado. Colorado will move as quickly as possible to begin work on the selection process for the new Director. It is expected to take several months to fill the position. Deputy Director Mark Konishi will serve as Acting Director of CDOW in the interim. Bruce McCloskey was a supporter of Wildlife Law Enforcement and below is a press release making the announcement of his retirement.

#### **DOW Director Bruce McCloskey to Retire After 33 Years (4/12/2007 Division of Wildlife)**

Bruce L. McCloskey, 54, director of the Colorado Division Wildlife, announced Thursday that he is retiring from his position with the agency effective May 31.

McCloskey, a 33-year veteran of the agency, has worked as director for the last three years.

"This was a very difficult decision, but all good things eventually come to an end," McCloskey said. "Working for the Colorado Division of Wildlife was a dream come true for me. This is the work I always wanted to do."

McCloskey graduated from Colorado State University in 1974 with a degree in wildlife biology and started working for the agency the same year. His first job was as a wildlife conservation officer in Kremmling. He then worked at a variety of jobs in the agency, including area wildlife manager, regional manager, hunter education coordinator, and head of the habitat section. Before becoming director he served as deputy director of the DOW for 17 years.

"This has been a way of life for me," McCloskey said.

The DOW evolved significantly during his career, McCloskey said. The agency expanded its research function, moved more aggressively to secure wildlife habitat, and established education, volunteer and watchable wildlife programs.

"The DOW touches many more people in Colorado today than when I started. And the demands on our agency continue to grow."

Today the DOW is facing major challenges, McCloskey said. Growing population, continuing development in prime wildlife habitat areas and growing energy development is putting unprecedented pressure on wildlife.

"The DOW is working hard to do what's best for wildlife, but the task is not getting any easier."

McCloskey said he's most encouraged by growing cooperative efforts among various groups to work on wildlife issues. Groups include other government agencies, sportsmen's organizations, conservation groups, Great Outdoors Colorado, and private landowners.

"Working with all these groups is at the top of my agenda. We have made significant progress on many fronts. The cooperative efforts must continue to grow. Those are absolutely critical."

McCloskey also was instrumental in establishing the Colorado Wildlife Habitat Stamp. Sales of the stamp raised \$3.5 million in 2006.

"With that money, we've been able to leverage another \$20 million for wildlife habitat. That money is

going directly to habitat protection and projects on the ground," McCloskey said.

Tom Burke, chairman of the Colorado Wildlife Commission, praised McCloskey's work.

"Bruce has dedicated his career to the Colorado Division of Wildlife. He'll be greatly missed," Burke said.

McCloskey plans to eventually live aboard a boat and wander the oceans with his wife Bonnie. He also has two grown daughters. McCloskey also holds a master's degree in public administration from the University 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. CDOW was recognized by the Association of Fish and Wildlife Agencies at the annual convention in September of 2006.

### **Colorado Wildlife Officers Claim International Award for Anti-Poaching Effort (10/3/2006 Division of Wildlife)**

Officers from the Colorado Division of Wildlife (DOW) have been honored for efforts to reduce wintertime poaching by the Association of Fish and Wildlife Agencies. Colorado representatives were presented with the 2006 AFWA Conservation Law Enforcement Award at the AFWA annual convention in Snowmass Village on Sept. 20.

"This is a great honor for a great group of wildlife employees," said DOW Director Bruce McCloskey, while accepting the AFWA Award. "I'm proud of every one of the people involved in this effort."

The award honors the DOW Winter Range Patrol, which was undertaken in late 2003 to reduce the poaching of trophy mule deer bucks during critical winter months. As Colorado's mule deer population has steadily rebounded, wildlife officers discovered more poaching activity during winter months when animal are concentrated in low lying areas closer to communities and roadways. Beyond the known increase in poaching incidents, wildlife officers were also seeing an increase in headless carcasses found in winter range areas.

The initial Winter Range Patrol took place in areas along the Colorado/Utah border. The effort involved saturation patrols by marked wildlife units, decoy operations, day and night airplane flights by the DOW Terrestrial Section, unmarked patrols, media alerts to inform the public about the poaching problem, and Operation Game Thief sponsored billboards to help bring in public tips.

The 2003/2004 patrol began in mid-November and ran through January. More than 4,000 man hours were contributed by 65 wildlife officers. Officers contacted 800 individuals and wrote 41 citations. Public reaction to the program was extremely positive and, most importantly, the number of headless carcasses being discovered dropped by 75% in the first year alone. The decision was made to continue Winter Range Patrol in future years in other areas of the state.

For the winter of 2004/2005 the Winter Range Patrol along the Colorado/Utah border was expanded to the areas around Montrose, Gunnison, Saguache, Durango, and Kremmling. The number of officers also expanded with 99 commissioned wildlife officers participating. More than 22 citations were issued and several cases are ongoing.

The 2005/2006 Winter Range Patrol covered some of the previous areas but also offered a special emphasis on the increasing activity associated with energy exploration in northwest Colorado. The expansion of natural gas drilling has brought increased traffic and, once again, increasing numbers of headless carcasses being found. While only two citations were written in this special emphasis area, the DOW hopes that the increased presence of wildlife officers will have a deterrent effect on any would-be

poachers.

Plans have been completed and officers are preparing for the 2006/2007 round of Winter Range Patrol. Several new areas have been added to the upcoming patrol and DOW officers will once again be on the lookout for poachers that take advantage of the state's big game animals at a vulnerable time.

"This is an innovative and aggressive law enforcement solution to a serious problem," said Rob Firth, the DOW chief of law enforcement. "We have seen the benefits in the field and we hope to see continued results in the years to come."

AFWA represents fish and wildlife professionals in the 56 states and territories, and the federal agencies of the United States. The Association also represents many provinces of Canada and Mexico. Its core functions are inter-agency coordination, legal services, international affairs, conservation and management programs, and legislation.

The Colorado Division of Wildlife is the state agency responsible for managing wildlife and its habitat, as well as providing wildlife related recreation. The Division is funded through hunting and fishing license fees, federal grants and Colorado Lottery proceeds through Great Outdoors Colorado. Continuing law enforcement and public relations efforts to address winter range poaching problems is shown in the smattering of press releases below.

#### **Grand Junction Man Charged in January Poaching Incident (5/17/2006 Division of Wildlife)**

A Grand Junction man is scheduled to be arraigned May 26 in 9th Judicial District Court in Rio Blanco County for allegedly illegally killing a bull elk near Rangely in January. Officers with the Colorado Division of Wildlife (DOW) recently arrested 34 year old William Robert Howard at his home in Mesa County.

On Jan. 22, DOW officers were alerted to a bull elk carcass near mile marker 3 on Colorado Highway 64 west of Rangely. Area residents reported hearing a gun shot the previous night. Evidence was gathered at the kill site and witnesses were interviewed. A press release was issued seeking additional information from the public. Based on tips, law enforcement reports of suspicious activity in the following days and results of forensic analysis, Howard was identified as a suspect in the case. Based on Howard's statements and additional evidence recovered through a search warrant, Howard was placed under arrest on Mar. 30.

Howard is charged with two counts of hunting elk outside an established season, two counts of illegal possession, one count of waste of wildlife, one count of willful destruction of wildlife, and two counts of sale of wildlife. In addition, Howard faces an enhanced penalty for violating CRS 33-6-109(3.4)(a)(I), the so-called Samson surcharge. If convicted on all charges, Howard faces up to nine years in prison, fines up to \$314,000 and the lifetime loss of hunting and fishing privileges in Colorado and 20 other Wildlife Violator Compact states.

"We wouldn't have been able to put this case together without the public's help," said James Romero, district wildlife manager in the Rangely North district. "Watchful residents, alert local law enforcement and help from the local media contributed to pulling together the pieces of this complex investigation."

#### **Winter Big Game Poaching is Big Problem (12/20/2006 Division of Wildlife)**

Colorado's deer and elk struggle to make it through the winter. Unfortunately, the animals face more than deep snow and cold temperatures. Poachers take cruel advantage of winter conditions to illegally kill big game animals.

Throughout the state, the Colorado Division of Wildlife steps up its efforts at this time of year to catch poachers. The DOW asks for help from the public to report suspicious activity that might be related to wildlife.

“Poachers are criminals who are maliciously damaging Colorado’s wildlife resource,” said J Wenum, area wildlife manager in the Gunnison area. “Wildlife officers patrol large areas, so we need people to call to tell us about possible criminal activity.”

At this time of year, deer and elk gather in herds in winter range areas where food sources are available throughout the winter. Consequently, the animals are often highly visible to humans and are vulnerable to poachers.

“This is also the mating season for deer, and during the rut bucks have just one thing on their minds,” explained Rod Ruybalid, district wildlife manager in the San Luis Valley. “They are easy to see and, unfortunately, easy to shoot.”

Most of the animals that are poached are bucks and bulls that are killed only for their heads and antlers. Wildlife officers often find headless carcasses, or carcasses from which only the antlers have been removed.

“It’s rare that anyone poaches for meat, they are just going for the trophies,” Ruybalid said.

During the last month in the San Luis Valley in southern Colorado, several poachers have been caught. Fines will likely range from \$3,000 to nearly \$40,000 for the violations. More than 10 deer were killed in various incidents.

“The deer population in the San Luis Valley has been down for several years but is now starting to recover,” Ruybalid said. “People are starting to see some big bucks. When these animals are killed it causes significant impact to the overall health of the herd. These bucks are strong and it is important that they continue to mate.”

The actions of poachers also steal the future from hunters and communities. Healthy herds draw hunters and wildlife watchers who help support the local economy in rural areas.

Poachers often work back roads, looking for areas where deer and elk gather. If you see vehicles traveling slowly along roads, or unusual activity at night, please call the nearest DOW office or any law enforcement organization such as local police, the sheriff’s office or the Colorado State Patrol. Calling local law enforcement offices can help to bring a fast response.

If you see suspicious activity, gather as much information as possible: vehicle description, location details, descriptions of people and time of the incident. Do not attempt to intervene or confront anyone.

If you find a headless carcass, inform the local DOW office as soon as possible.

You can also call DOW’s Operation Game Thief at 1-877-265-6648.

“Wildlife belongs to everyone in Colorado,” Ruybalid said. “And everyone can help protect this valuable resource.”

### **DOW Charges Gas Worker in Thanksgiving Day Poaching Case (12/7/2006 Division of Wildlife)**

A 36 year old natural gas worker has been charged with illegally killing a trophy buck deer north of Parachute on Thanksgiving Day. Colorado Division of Wildlife officers arrested Joseph L. Chapman of Provo, Utah as part of an ongoing enforcement effort to reduce poaching incidents in the expanding gas fields of western Colorado.

On Wednesday, Dec. 6, Chapman was arrested and transported to the Garfield County Jail on the following charges:

CRS 33-6-117(1)(a) Willful destruction of wildlife. Class 5 Felony. 1-3 years in prison and \$1,000-\$100,000 fine, if convicted. Hunting and fishing license suspension of one year to lifetime in Colorado and 23 other states.

CRS 33-6-120 Hunting out of season. Misdemeanor. \$592 fine. 15 license suspension points.

CRS 33-6-109(1) Illegal possession of wildlife. Misdemeanor. \$700 fine. 15 pts.

CRS 33-6-109(3.4)(a) "Samson Surcharge". \$10,000 fine.

CRS 33-6-114 Transportation and exportation of wildlife. \$50 fine. 5 pts.

Officers with the Utah Division of Wildlife Resources assisted with the investigation.

Anyone who witnesses illegal activities is urged to contact the local DOW office, call Operation Game Thief toll free at (877) COLO-OGT, or dial 9-1-1.

### **Unique Cross Boundary or Cooperative, Enforcement Efforts**

The CDOW had several great interagency/interstate major Lacey Act investigations this year. A couple of examples of cooperative wildlife law enforcement efforts are below.

#### **Wildlife Officers Use DNA Evidence To Solve Cold Case (8/21/2006 Division of Wildlife)**

*~ Bear Digs Up Skull Buried by Poacher ~*

In 2002, Charles Pedraza was hunting elk in the mountains of south-central Colorado when he shot a bull moose. For almost four years he thought he got away with it. But on August 9, 2006 he had his day of reckoning when a Chaffee County judge ordered him to pay \$11,391 for poaching.

Several factors helped the Colorado Division of Wildlife (DOW) solve the case. There was high-tech DNA lab work, a couple of anonymous tips, good, old-fashioned investigative work and the help of a bear who unknowingly dug up evidence the poacher buried when he was trying to hide his crime.

Colorado District Wildlife Manager Ron Dobson knew that an occasional moose wandered the hills in his district. Over the years since they were reintroduced to Colorado in 1978 moose had been known to wander for hundreds of miles throughout the mountains and foothills. But there are only a handful of areas where moose are found in high enough numbers to warrant a hunting season.

"Every year, the Division of Wildlife reminds elk hunters that they must clearly identify their target before shooting," said Dobson.

The trail that connected Charles Pedraza to the moose skull found by Dobson began in the summer of 2003 when a Chaffee County resident called Ron to tell him about an unusual skull laying out in the open above the Mary Murphy Mine site up on Pomeroy Gulch.

Dobson found the skull and recognized it as a moose with the antlers cut off. There were teeth marks on the skull and bear scat nearby. Dobson began looking around and found a black plastic trash bag with bits and pieces of bone fragments and moose hair that apparently had been dug up by a bear. "It was obvious to me, that whoever killed the moose went to a great deal of trouble to conceal the crime by burying portions of the hide and skull," said Dobson. If it hadn't been for the bear, the evidence might still be buried.

Dobson didn't have much to go on, but he took photographs and kept the skull as evidence in the event he might get a lead someday. That day came a couple of years later when an anonymous tipster called the "Operation Game Thief" hotline with information that Charles Pedraza illegally shot a moose during the 3rd rifle elk season in 2002. What puzzled officers was that the tipster said the poaching incident took place near Walden – 200 miles away.

A search of Colorado hunting license records indicated Pedraza had a cow elk license for the Pomeroy Gulch area, but was never issued a moose hunting license. Wildlife officers attempted to contact Pedraza but found out the suspect had moved from Colorado Springs to Oshkosh, Wisconsin.

So the DOW enlisted the help of the United States Fish and Wildlife Service who sent an agent in Wisconsin to talk with Pedraza. During a recorded interview in August of 2005, Pedraza was asked if he knew anything. He confessed to shooting a bull moose on Pomeroy Gulch but claimed it was an accident.

Pedraza told the investigator he didn't report it because he was afraid the DOW wouldn't let him keep the meat so he removed the hide and antlers and then quartered the moose and carried most of it out before burying the legs and skull.

That day four years ago when Pedraza shot the moose, it was snowing hard. For the next six months the Colorado high country would be covered with snow. As far as Pedraza knew, his trail had gone cold. He didn't know that Dobson had found the skull and was waiting for the day he could catch the poacher.

In the summer of 2005, Pedraza stashed the pelt in a storage unit in Colorado Springs and moved to Wisconsin.

During his interview with the federal wildlife agent, Pedraza said he was planning to return to the storage shed in a few weeks to get the rest of his things.

Wildlife officers waited for him, but he never showed up.

Dobson knew he had a good case, but he still needed a major piece of evidence to cement the deal, so he got a search warrant. Dobson opened the storage unit and found a moose pelt and photos that put Pedraza at the scene of the crime. Dobson sent samples to a lab in Wyoming to run a DNA test. Bingo. The DNA from the hide in the storage shed and the skull Dobson found on the hillside were a perfect match.

With his new found evidence, Dobson phoned Pedraza at his home in Wisconsin in December of 2005 and made arrangements for Pedraza to return to Colorado to turn himself in. Pedraza asked if it would be okay to wait until Christmas as he had planned to return to Colorado for the holidays. Dobson agreed, but Pedraza didn't show.

After the holidays, Dobson contacted Pedraza to inform him that he still had the option to turn himself in voluntarily. This time Dobson made sure Pedraza knew that it would be his last chance to settle the matter without being arrested and extradited, and having several other individuals who helped get the moose out also charged. Pedraza agreed, and over the next several weeks Pedraza's attorney made arrangements through the Chaffee County District Attorney's office to schedule a court date.

"This case is a good example of how a citizen's tip can be combined with old-fashioned detective work and high-tech DNA evidence can solve a cold case," said Dobson.

"We had a lot of good evidence, including a statement from the tipster and the skull dug up by the bear, but it was the DNA link that connected all the dots.

"Colorado takes poaching very seriously. Someone might think they have gotten away with a crime, but eventually we will track them down and bring them to justice," he added.

Additional fines for poaching trophy-sized big game animals are the result of the so-called "Samson Law" passed in 1998. The law places mandatory fines on top of existing penalties. Anyone convicted of poaching a bull moose is subject to a \$10,000 surcharge. Other fines range from \$4,000 for a trophy-sized antelope buck and up to \$25,000 for a bighorn sheep.

Once again during this year's hunting seasons wildlife officers will ramp up patrols to watch for poachers. But it is not the game wardens alone who will be watching. In today's age of cell phones and satellites, every citizen out there can help solve poaching cases.

If you have information about a poaching crime, call 1-877-COLO-OGT, Verizon cell phone users can dial #OGT, or via e-mail at [game.thief@state.co.us](mailto:game.thief@state.co.us). Callers can remain anonymous and are eligible for a cash reward if the information provided leads to a citation.

### **TIPS Program Gives Free Hunting Licenses To People Who Turn In Poachers (3/20/2007 Division of Wildlife)**

The Colorado Division of Wildlife (DOW) has raised the ante against poachers by increasing the rewards for citizens who report violators. A program called TIP for "Turn In Poachers," now awards preference points, and in some cases, free hunting licenses to people who provide information that helps catch poachers.

"Most hunters are law abiding citizens," said Ron Dobson, a veteran DOW game warden from Chaffee County, "and they don't want a few bad apples to spoil things for legitimate hunters."

In one case Dobson handled last year, a tipster was awarded one of the most sought after hunting opportunities in the nation – a license to hunt a Mountain Goat. "People wait a life-time trying to get one of these rare opportunities. It's only fair that when someone cheats, the person who turns them in should be rewarded," said Dobson.

Poachers are also finding out the hard way that lying on their license application, using rifles during archery season, trespassing, hunting after the season is over or any other hunting violation -- doesn't come cheap anymore.

Here are a couple of examples. Two brothers recently paid over \$34,000 in fines for claiming to be Colorado residents when one of them really lived in Pennsylvania. In another case, a couple of poachers from the Colorado Springs area paid hefty fines when they trespassed on private property to shoot a deer after the hunting seasons were already over.

In both cases, the DOW's TIP Program rewarded the citizens who came forward to report the crimes.

"We would not have been able to solve these crimes without the information provided by citizens," said DOW Officer Albert Romero of Colorado Springs. Romero points out that wildlife in Colorado is the public property of the state and when criminals ignore hunting and fishing rules, they are, in effect, stealing from everyone else.

### **FALSEIFYING HUNTING LICENCE APPLICATIONS**

Hunters pay less money to buy licenses in their home state than if they buy a license to hunt in another state. In Colorado, the fine for lying about residency on a hunting application is twice the cost of the original hunting license plus a 37 percent surcharge.

The following case demonstrates what can happen when an out-of-state hunter tries to save some money and claims to be a Colorado resident.

On September 5, 2006, the DOW received a tip that a hunter used a rifle to shoot a mountain goat in unit G-14, which is restricted to hunting with archery equipment. The tip came from an archery hunter who was upset about someone breaking the law.

DOW officers made their way to unit G-14, which is in a remote area in the rugged mountains west of Salida. While collecting evidence at the crime scene, they met a prospector who verified the original tip and said two hunters stopped to talk with him after they shot a goat that morning. One of the hunters was carrying a rifle and the other happened to mention that he was from Grand Junction.

The DOW only issued five licenses to hunt mountain goats in G-14 in 2006, but none of them were awarded to anyone from Grand Junction. The only Grand Junction hunters lucky enough to get 2006 goat licenses were assigned to other units. Two of those licenses went to Gerald Hirt, age 51, and William Hirt, age 57, who both lived at the same address. But, the Hirt brothers' permits were not in G-14, but an adjacent unit to the north.

When Dobson decided to call the Hirt brothers to see if they might have any information, he found out that Gerald Hirt had an out-of-state phone number and actually lived in Ducansville, Pennsylvania. As Dobson dug deeper, he discovered that Gerald Hirt was buying resident hunting licenses in both states. And, that there was a pattern going back several years where hunting licenses were issued to other out-of-state members of the Hirt family listing the same address in Grand Junction.

"The bottom line is that the tip from the archery hunter started the ball rolling," said Dobson. His willingness to come down off the mountain and report the problem right away gave DOW game wardens a quick start on solving the case.

At first the Hirts denied everything, but once confronted with the evidence, William Hirt admitted that he didn't see any goats in unit he was supposed to be hunting in, so he shot a goat in unit G-14 instead.

Mountain Goats are protected under the Samson Law, and because the information provided by the original tipster led to a conviction involving a Samson violation, the tipster was rewarded with a free license and another chance to hunt a mountain goat in an upcoming season.

On the other hand, the Hirt brothers finally got caught after many years of cheating the system. They had to pay \$34,000 in fines, and, following a review by a hearing examiner, will likely lose their hunting and fishing privileges for a long time.

## **TRESSPASSING AND HUNTING OUT OF SEASON**

In an unrelated case, DOW officers investigated a poaching incident after receiving a tip that a buck deer was shot and killed south of Highway 24 in El Paso County during a time where there were no open hunting seasons in that area.

Through the course of their investigation, DOW officers determined two men entered private property without permission and killed a mule deer buck with a small caliber rifle. "This is a case of complete disregard for the landowner's property rights and Colorado wildlife law's," said Romero.

Shawn J. Smith, 38, of Colorado Springs and John T. Durham, 20, of Ramah, were issued citations. Smith and Durham were both charged with hunting outside an established season, illegal possession of wildlife, and trespass. Both men plead guilty in El Paso County Court, and each paid \$1,907 in fines.

Smith and Durham were also assessed 50 points against their hunting and fishing privileges. An administrative hearing process will determine if Smith's and Durham's hunting and fishing privileges will be suspended and for what length of time.

"Without information received from concerned citizens, this case would have been extremely difficult to solve," said Romero. "Hopefully poachers will get the message that somebody is always watching."

These are only two examples out of dozens of cases solved each year because law-abiding citizens came forward to report hunting or fishing crimes.

Sportsmen, landowners, or citizens who observe or suspect poaching activity can anonymously contact the local DOW office or call Colorado's Operation Game Thief at 1-877-COLO-OGT (1-877-265-6648). Callers do not have to reveal their names or testify in court. Depending on the crime, rewards of up to \$500 are offered for information that leads to an arrest or a citation being issued.

Tipsters are also eligible to receive preference points, and in some cases, hunting license if the case involves a Samson law violation. To be eligible for preference points or a free hunting license under the TIP program, the person must be willing to testify.

### **THE SAMSON LAW**

The Samson law was passed by the Colorado legislature on April 22, 1998. Samson was a majestic bull elk that got its name from Estes Park locals who were accustomed to seeing him around town.

When people found out that the poacher who killed Samson was only fined a few hundred dollars, there was a public outcry to raise the penalties for illegally killing wildlife.

The Samson law now adds mandatory surcharges for killing trophy game animals in addition to the normal fines for poaching. The added amounts range from \$4,000 for a trophy sized antelope up to \$25,000 for a bighorn sheep.

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

Colorado is currently facing a lawsuit challenging, on a constitutional basis, whether wildlife officers can enter onto private land under the reason to believe standard in statute and demand to see licenses and wildlife in a person's possession under statute. Since this is an ongoing lawsuit no further information is available at this time.

Another decision that is still tied up in court is the recreational trapping of pine marten and mink as discussed in the press release below.

Recreational Trapping of Pine Marten and Mink Halted by District Court (1/23/2007  
Division of Wildlife)

Legal recreational live trapping of mink and pine marten in Colorado has been halted by a recent District Court decision.

The Colorado Wildlife Commission passed regulations in July that added mink and pine marten to the list of furbearers which are allowed to be live trapped. Organizations challenged the legality of the regulation and the District Court entered a stay on Jan. 5, nullifying the regulations.

Mink or pine marten caught accidentally while trapping for other species must be released immediately. The court order does not prohibit all take of mink and pine marten, only recreational take with live traps. Mink and pine marten can still be taken with all lawful manners of take in damage situations where and when authorized by the Colorado Division of Wildlife pursuant to Amendment 14. Other lawful manners of take (specifically rifle, handgun, shotgun, handheld bows and crossbows) listed in the regulations for recreational purposes are still permitted.

The decision to determine whether the regulations are legal or not and whether the recreational live trapping of pine marten and mink will be allowed in Colorado will be made by the District Court in the future.

### **Other Special Law Enforcement Issues**

None

---

**Florida Fish and Wildlife Conservation Commission  
Division of Law Enforcement  
May 18, 2007  
Submitted by: John Miller**

### **TRAINING**

We are undertaking two new training initiatives directed toward supervisor development. The first is Situational Leadership Training. Our staff instructors will be attending a facilitation course in June 2007. The concepts and materials have been developed by Ken Blanchard, the author of *The One Minute Manager*, *The One Minute Teacher*, *Who Moved my Cheese?*, and numerous other supervisor books and articles. We anticipate implementing the training in the field as early as July 2007.

Secondly, we are revamping the mentoring program. We are currently working to provide more structure to the program at all levels. One significant change will be a project component wherein the mentee will be exposed to real issues and will have to develop strategies and solutions based on both readily available resources and not so readily available resources.

We are in the process of replacing our shotguns with patrol rifles. We are currently using surplus military M16 (converted to semi auto only) as our primary long gun. The patrol rifles are being issued with a Streamlight TL3 light and a three point tactical sling. Our patrol rifle class is 16 hours and requires both day and night qualification. To date we have issued approximately 255 rifles to our officers.

Our training section is developing a force on force training module. We have developed an instructor core group trained in implementing specific role playing scenarios that will require officers to utilize intermediate weapons and deadly force during scenarios training. This force on force training will assist with the development of decision making regarding use of deadly force and should improve officer performance during use of force incidents.

We are currently implementing a new recruitment manual with new tracking forms in place. The forms will assist in quality assurance purposes where immediate supervisors can contact potential applicants and see how we can better the recruitment program. The manual is a guideline developed to assist recruiters with ideas and direction to help them succeed in their role.

### **Major Conservation Law Enforcement Trends**

The Division's Boating and Waterways Section continues to work toward safe and enjoyable boating for the people of Florida and its visitors through the effective and coordinated management of our waterways. Section staff is committed to formulating the best solutions to issues relating to boating safety, boating access, and waterway management, without jeopardizing natural resources or our citizens' freedom to navigate. "Hot Button" issues during this report year include:

**Seeking solutions to the reduction of boating access in Florida.** Staff has enlisted the University of Massachusetts of Boston, Urban Harbors Institute and other experts to coordinate a Florida Boating Access Facilities Inventory and Economic Study. The study will inventory all boat access facilities in Florida, GIS map, and provide economic models out to 2020. Our goal is to make this information available to local and state decision makers dealing with comprehensive waterway growth issues.

**Derelict vessel removal continues to be a critical concern in Florida.** Lack of funding, the storms of 2004/2005, and the privatization and/or reduction of public marinas and other boat storage facilities have caused this issue to be on the forefront of many legislative members. Staff has developed a “Derelict Vessel Removal Plan” that incorporates assistance by outside contractors to identify, remove, and assist local governments that do not have available staff to handle such a task. The Plan also provides a list of private/public grants and other funding opportunities that assist governmental entities with the removal of waterborne debris, abandoned, and derelict vessels.

**Boating accidents and fatalities continue to be a concern in Florida.** Since 2004, Florida leads the nation in registered recreational vessels. This combined with those operating from other areas have also increased vessel conflicts and casualties. We find that most accidents are a result of operator inattentiveness and most fatalities result from drowning. As a result, the Division is focusing on boating safety initiatives that remind boaters to pay attention and to always wear a life jacket.

### **Unique Cross Boundary or Cooperative, Enforcement Efforts**

Over the past several years, the Division of Law Enforcement has been communicating with many city, county, state and federal law enforcement agency partners about criminal intelligence issues. There continues to be an increased need to improve the level of communications between the partnering agencies to better protect the citizens and visitors of the state of Florida. FWC has the capability of providing important real time criminal intelligence information with over 700 sworn law enforcement officers patrolling the waters and woods of our state on a continual basis.

To better serve the public and provide a network of criminal intelligence information, FWC will be assigning one full time Senior Intelligence Officer with statewide responsibilities. This position will be responsible for developing reports, alerts, and/or notices to be distributed to FWC personnel and partner agencies in facilitation of the FWC core mission responsibilities of resource protection, boating and waterways, maritime and wilderness law enforcement, and mutual aid and emergency response.

This position will be assigned to work out of the Jacksonville Regional Intelligence Fusion Center (JRIFC) located at Jacksonville Naval Air Station. The JRIFC is being primarily sponsored by the United States Navy and United States Coast Guard and will be staffed by many full time personnel from other local, state and federal agencies.

Our goal is to develop an efficient statewide method to provide information obtained from daily patrol into a system designed to analyze the information and distribute reports back directly to the person or geographical area needing the information.

Mr. Mark DuPont has been selected for this position, effective May 14, 2007.

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

The Division of Law Enforcement has had a Cooperative Enforcement Agreement with NOAA Office for Law Enforcement for over 25 years. This agreement provides federal fishery law enforcement authority for FWC officers. For the last six years, the FWC has entered a Joint Enforcement Agreement with NOAA OLE which has provided funding for the federal fishery enforcement conducted by FWC. The base funding offer for the first five years was set at \$500,000 based on commercial fishery statistics kept by NOAA. The current funding offer was increased to \$1,000,000 based on several factors: the

significant impact of the recreational fishing sector on federally managed species; the large number of commercial and recreational fishers in federal waters adjacent to Florida; and the lengthy Florida coastline.

The South Atlantic Fishery Management Council is moving forward with implementing Marine Protected Areas, three will be off the coast of Florida. These MPAs are designed as a management tool to protect some species of grouper. The MPAs are relatively small areas with specific fishery regulations and some are located over 40 miles from shore. Due to the regulation design, enforcement of the regulations will require on site enforcement. An assessment by law enforcement professionals working within the Council process indicates that providing sufficient enforcement in these MPAs (including the MPAs off the coasts of North Carolina, South Carolina and Georgia) will require additional funding for equipment and staff.

---

## **AMFGLEO Law Enforcement Committee Indiana 2007 Annual Report By Michael Crider**

### **Training Issues**

Officers were trained on an adapted version of the Reed Interview and interrogation program. Training was provided using our Detectives and was well received by field officers. We are still working toward 100 percent participation in our physical fitness assessments.

### **Funding and Staffing Issues**

No staffing developments to report. We like many other agencies are struggling with increasing fuel costs. We just completed a very successful legislative session in which the officers received better retirement benefits and substantial pay increases. The retirement changed from an 85 point plan to a 75 point plan and the multiplier for years over 25 increased. The pay matrix was increased from a 10 year plan to a 20 year plan with field officers topping out at just over \$60K at 20 years of service. The ability to retire without penalty at age 50 with 25 yos might cause an early exodus. We will wait to see how that plays out.

### **Major Conservation Law Enforcement Trends**

We participated in a couple of commercial fishing audits on Lake Michigan and recently completed a large scale undercover operation on commercial fishermen and the exploitation on paddlefish on the Ohio River. This investigation was conducted alongside the USFWS and went extremely well. Both agencies contributed heavily and other states assisted as needed.

### **Unique Cross Boundary or Cooperative, Enforcement Efforts**

See above.

### **New Innovations in Conservation Law Enforcement**

We received a grant from DHS which allowed us to purchase 4 27' patrol boats, night vision equipment and 4 side-scan sonar units to be used in the areas of the ports for Indiana. We also deployed our new records management system (CODY) which when used in conjunction with our Mobile Data Terminals in the officers trucks will allow us to exchange reports and information almost instantly.

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

None noted.

**Cost Savings Initiatives**

We feel that the CODY system will greatly increase our ability to manage. The system has GPS coordinates for reports so queries can be done that will show where problem areas are and appropriate manpower can be assigned to address those problems. The ability to see real-time what is taking place in the field will be a huge step forward for us.

Other Special Law Enforcement Issues

None noted.

---

**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 lead the list of areas needing improvement. The area of providing better training to new officers is of primary concern. Although new officers receive general law enforcement training through the Kansas Law Enforcement Training Center, the need to improve the training to new officers in natural resource and boating enforcement is needed. Several options are being looked at ranging from integrating Department specific training in with the 14 week basic enforcement training to establishing a wholly independent field training program.

Officers are being selected for more specialized training in the areas of investigations. Last year five officers attended advanced boating accident investigation training and other officers attended advanced interviewing courses. A need exists for better supervisory training, particularly for first line investigators.

**FUNDING AND STAFFING ISSUES:**

Overall Department revenues directly affecting the Law Enforcement Division remain relatively stable in comparison with previous years. However, the increasing operational costs, particularly relating to vehicle fuel, are causing a more difficult budget process in the operation and maintenance portions of the budget. Anticipated increases in COLA's and benefit contributions for employees add to the difficulty in budgeting. The guidelines for the FY 2009 budget currently provide no ability for enhancements to the budget as have been available in previous years.

A proposal to add additional field officers was brought forward by the Legislature early in the session. Although the Secretary supported the idea and provided the necessary information to adjust the budget, no further action was seen. The Department has not been able to determine why the idea died during the legislative session.

Current staff positions remain unchanged over the past six years. The Law Enforcement Division consists of a total of 78 permanent persons, 77 being commissioned officers. This level of staffing does

not adequately address the work load that is expected for this division. Increasing demands to proactively promote the Department's programs, maintain traditional wildlife and boating enforcement roles, and meeting the challenges of added responsibilities and expectations in areas of emergency response and training are straining the limitations of the work force.

#### **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:**

The Kansas Department of Wildlife and Parks is becoming increasingly involved in more general 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. This expansion of expected responses creates greater conflict with accomplishing our basic natural resource and boating enforcement duties.

Addressing the issues of nuisance and exotic species is becoming a bigger problem for the division. Kansas has traditionally been very lenient in the areas of importation of wildlife and the transportation of wildlife within the state. The collection and use of live bait fish is becoming a serious topic in the state as this is associated with a number of aquatic nuisance species issues. Feral hogs, although under the control of the Livestock Commissioner, are also affecting the natural resources of the state and continue to warrant monitoring control measures conducted by APHIS.

#### **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:**

Division officers continue to develop more cases involving interstate participation from both federal and state jurisdictions. Several multi-jurisdictional wildlife cases were completed during the past year and several more are under investigation. Defendants in these cases ranged from as far away as New Jersey and Florida, with other leads directed toward the state of Alaska. As more complex investigations are encountered, it is obvious that maintaining and developing new and enhanced contacts and cooperative investigations techniques becomes paramount. The continuation of good working relations between the states and the U.S. Fish and Wildlife Service are essential for the continuation of an increasing number of our investigations where the Lacey Act is the primary means of bringing out-of-state violators to justice.

#### **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:**

The Division continues to utilize the services provided by the Mid-states Organized Crime Intelligence Center based in Springfield, Missouri. Over the past year their services have been used to develop association matrices and events charts in addition to technical expertise in electronic equipment. These services have proved valuable, particularly for prosecution purposes and courtroom presentation. While the Division is on the threshold of moving from the test phase to implementing our new case management system across division, there is new information that a new statewide system is being developed for implementation. At present it appears that the Division's program should integrate with the new statewide system, however, it is still too early to be assured of this. It is the intention of the Division to utilize current intelligence systems existing through the Kansas Bureau of Investigations and MOCIC.

The 2007 Legislature approved a budget item for the Department to acquire 800 MHz radios in the 2008 Fiscal Year. The acquisition will be through a lease agreement with the Kansas Department of Transportation. KDOT will lease the radio equipment to the Department on an annual basis based on the cost of the equipment prorated over a ten year period. The initial budget for the equipment is \$490,000 with a projected annual cost expected to be \$370,000. This service is for equipment only. While this system will create a common communications platform for state agency communications, the complex issues associated with communicating with 105 sheriff's offices and the multitude of local police agencies who generally do not operate on 800 MHz systems will continue to be a challenge.

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

The Department along with other police associations closely monitored a bill introduced in the 2007 Legislature. The bill would have restricted the application of the Open Fields Doctrine. Under the proposal, any property posted as requiring written permission to hunt, fish or trap would have required all law enforcement officers to have permission of the landowner or tenant, or have a valid search warrant to enter upon those lands. The bill did not receive a committee hearing and is thought to be dead; however, the bill could be brought back before the committee in the 2008 legislative session.

The Department continues to be a part of the law suit concerning the restriction on using optical scopes on muzzleloading firearms during the early muzzleloader seasons for big game. The suit alleges that is restriction is a violation of the American Disabilities Act. The Department contends that the current law does not violate ADA provisions.

During the past year the U.S. Fish and Wildlife Service brought forth a proposal to re-introduce Black-footed ferrets into Kansas. This has sparked a re-ignition of debate surrounding prairie dogs, an animal deemed as a pest by state law and often targeted for eradication.

**COST SAVING INITIATIVES:**

The Office of the Secretary has initiated a review of all programs within the Department to determine where efficiency and effectiveness of current programs could be improved. Currently the Department continues to support a large number of traditional and new programs. The question posed asks whether current services reflect the real needs of the resources and public. Numerous areas have been identified where improvements could be made, particularly related to electronic records, fiscal tracking and personnel records. Realizing this is a major task, it is anticipated that this review process and implementation of improvements will span a considerable period of time.

**OTHER SPECIAL LAW ENFORCEMENT ISSUES:**

The Department continues to negotiate with the Fraternal Order of Police, who represents all Natural Resource Officer I and II positions. Negotiations with the bargaining unit have been underway for the past year. As this is a completely new agreement being negotiated, it is anticipated that several more months will be necessary in order to complete the process.

---

**AMFGLEO Law Enforcement Committee  
2007 Annual Report  
Manitoba Conservation  
Submitted by: Colin Merritt  
Enforcement Coordinator**

**Training Issues**

A newly developed three week training course was approved by the Department of Justice and facilitated by the Northwest Law Enforcement Academy for all existing and new seasonal Park Patrol Officers and newly promoted Assistant Resource Officers. After the successful completion of this course the officers were issued batons, o.c. spray and soft body armour enabling them to once again conduct arrests and

initiate evictions. Due to a work place safety and health complaint these activities had recently been suspended for Park Patrol causing Natural Resource Officers to be brought in on overtime to patrol the campgrounds in our provincial parks.

An extra \$2.00 per hour qualification pay was negotiated in the last union contract for Basic Firearm Instructors (BFI's) while conducting active training on the firearm range. The proposal had been for all instructors who had to remain certified to be eligible for this extra pay while instructing. However, due to a miscommunication during negotiations it was only approved for the BFI's while on the range. This inequity has furthered hampered our ability to entice and retain instructors from the officer ranks. Most of our officer training is conducted by volunteers from the officer ranks and this was supposed to be a way to compensate them for their extra time and commitment.

A proposal is still on the table to hire four regional trainers who would be responsible for conducting the majority of officer training. No new staff time has been approved for this proposal so the positions will have to come from within the officer series if it is to go ahead.

This past year we sent four officers to the Wildfire Origin and Cause Determination course in Prince Albert, Saskatchewan, two officers to the Advanced Wildfire Investigation Training course in Hinton, Alberta and two officers to the Case Coordination course in Saskatoon, Saskatchewan.

### **Funding and Staffing Issues**

The department is still finding it difficult to attract and retain enough qualified candidates to fill all our entry level positions so will be running with vacancies again this year. Increased competition for eligible applicants from other provinces and the federal government has compounded the problem. Further compounding the problem is an increasing number of Assistant Resource Officers who are unable to qualify with our issued shotgun which is a requirement for the position.

A Park Superintendent position has been developed at two of our busiest provincial parks which removed most of the daily park operations from the responsibilities of the Natural Resource Officer. The NRO will now only be responsible for enforcement and park security and safety instead of the total park operation. It is hoped that this will be implemented in other parks in the near future.

The department was able to reclassify one seasonal ARO position to a full time NRO position for the Winnipeg district.

Due to the hiring approval procedures in place we are always running with vacancies in all levels of the NRO series. It is very unusual to have a full complement of officers at any given time. This has increased the pressure on our already overworked officers. Another apparent problem is our inability to attract officers to certain districts. Currently we have five vacant District Supervisor positions that we have been unable to staff through voluntary lateral transfers or through promotions.

One officer position was removed from the field to fill the Compliance and Logistics officer position in headquarters that had previously been cut.

Twenty seven Public Health Inspectors employed in the Environment Division of Conservation and the responsibility for the program outside of Winnipeg were transferred over to the Department of Health. Manitoba Health is a better fit for this program as the Public Health Act has always been the jurisdiction of Manitoba Health.

As with most jurisdictions the ever increasing cost of fuel has put a major strain on our already insufficient district and regional budgets.

### **Major Conservation Law Enforcement Trends**

The illegal sale of fish, primarily walleye, is still a major issue. This includes the illegal sale of black market fish to consumers and restaurants, fishers illegally filling other fisher's quota for them or filling quotas from one lake with fish from another. Lack of specialized staff and complicated or lacking fisheries legislation has compounded the issue.

ATV use on crown land has increased dramatically over the past few years which has had a detrimental effect in some places of the province such as the Sandilands Provincial Forest and the Duck Mountain Provincial Park. Erosion of creek beds and damage to existing trails are just two of the problems encountered.

### **Unique Cross Boundary or Cooperative, Enforcement Efforts**

A joint Manitoba/Saskatchewan undercover investigation into the illegal sale of white-tailed deer, elk and moose antlers was concluded recently with two Manitoba residents receiving fines totaling almost \$60,000 with numerous sets of antlers and mounts being forfeited as well. Previous to this a Saskatchewan man involved in this operation was convicted in Saskatchewan and was sentenced to four years in jail.

### **New Innovations in Conservation Law Enforcement**

Twelve Assistant Resource Officers stationed in our five busiest provincial parks have been issued Personal Digital Assistants to enable them to have electronic access in the field to our eviction database. This is a pilot project to determine the feasibility of issuing the PDA's to all Natural Resource Officers to allow electronic access in the field to various databases and other information such as our legislation manuals.

Natural Resource Officer Tim Cameron, the department's only K9 handler was recently sworn in at a trial as an expert witness for "time of death" of deer. This is the first time a Manitoba Natural Resource Officer has been granted expert witness status for time of death at a trial. His testimony helped gain a conviction for night lighting which ended up with the forfeiture of the truck used in the offence.

The Department of Water Stewardship is proposing to conduct a chemical analysis study of fish from various lakes in the province to see if it is possible to determine the water body of origin for fish. If this can be determined it would help our officers in dealing with the problem of commercial fisher's catching fish on one lake and selling them under the quota of another. Currently it is almost impossible to prove where the fish came from once it is sold to the Freshwater Fish Marketing Corporation Agent.

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

A new *Fish Marketing Regulation* is being developed to help deal with the increasing problem of illegal fish sales in the province. Currently, through legislative authority, Special Dealer's Licences are issued in Manitoba by the Freshwater Fish Marketing Corporation. They have no interest in continuing issuing these licences and at the present time will issue a licence to anyone with very loose conditions and requirements. The department is proposing to take over this responsibility so as to have more control over the conditions of the licence and who they are issued to. The regulation will also govern the reporting and record keeping requirements of persons and businesses selling fish in Manitoba.

The *Trapping of Wild Animal Regulation* will be amended to include the requirements for the use of humane traps found in the **Agreement on International Humane Trapping Standards**. These will go into effect for the 2007/2008 trapping season.

### Cost Savings Initiatives

None to report

### Other Special Law Enforcement Issues

None to report



**Michigan Department of Natural Resources  
Law Enforcement Division  
AMFGLEO Annual Agency Report  
May 18, 2007  
Submitted by: Alan Marble**

### Training Issues

**Recruit Academy Training** - Conservation officers (COs) hired by the Michigan Department of Natural Resources (DNR) Law Enforcement Division (LED) undergo nearly 10 months of extensive recruit training. The first part is a basic police recruit school academy conducted at the Michigan State Police training facility near Lansing. The intensive 22-week program was designed by us and is one of only three department run training academies in the state certified by the Michigan Commission on Law Enforcement Standards (MCOLES).

We held our first MCOLES-certified academy in 2000, and have averaged an academy every two years since then. We are fully commissioned peace officers, empowered to enforce all laws of the state of Michigan, and with good reason. We support and assist state and local law enforcement in a variety of domestic, traffic, and public safety situations, as well as helping the U.S. Coast Guard with marine patrols and border safety issues.

New recruits are hired as full-time peace officers and are paid as full-time employees while they live at the academy, Sunday evening through Friday afternoon, and train to become COs.

Conservation officers are not only taught basic law enforcement skills in the academy; they also receive specialized instruction in conservation law enforcement. The recruits receive training in areas that range from traditional police subjects like criminal law and investigation, to DNR-specific classes about state hunting and fishing laws, snowmobile operation, off-road vehicles, and watercraft enforcement, as well as wildlife and fish identification. At the end of the academy, they have 936 hours of training. This exceeds the minimum 562 hours of training mandated by MCOLES for the basic police academy.

Recruits are required to pass all exams and testing with a score of 80 percent or higher. A 15 percent failure/dropout rate is the norm. Instruction at the academy is provided by fellow conservation officers, state police troopers, and other experts in a variety of fields.

Upon successful completion of the academy, candidates move into a field training phase where they will work with senior conservation officers for 18 weeks, receiving continual guidance and evaluation.

**Survival Tactics Training** - LED's Survival Tactics Training Program, (or ST as it is known throughout the department), was founded in 1999 and has been in place ever since.

The comprehensive training program has been developed to maintain an officer's tactical skills and survival thinking. The training includes classroom lectures, hands-on conditioned response training, as well as scenario training. Officers are evaluated a minimum of once a year on their survival tactics skills. The focus of the program is to train and develop the officer to react to a threat through proper conditioned response training, while still maintaining appropriate conformance to the use of force continuum, and department policy.

The ultimate goal of the Survival Tactics Training Program is for each officer to understand and apply the concepts of a strong survival mindset. This mindset consists of three main principals combining, tactical thinking, tactical skills, and a survival attitude.

In an effort to ensure safety and reduce the number of training related injuries, the ST Program has adopted the use of training dummies for all full force conditioned response drills. These life sized training dummies have been a welcomed addition to the program. They allow our officers to safely practice and hone their techniques, while still being able to deliver strikes, kicks, and take downs at full force/contact speeds.

In an effort to further enhance safety, our department has recently purchased and issued to all officers a second set of handcuff restraints. Officers typically find themselves alone and in remote locations while dealing with multiple suspects. Possessing an additional set of restraints in these types of situations can greatly increase officer safety. To add versatility, the additional handcuffs are of an oversized design, which allows for easier restraining of a subject wearing heavy, bulky clothing as typically found during the hunting & snowmobile seasons. A custom designed double handcuff case is also a new addition to the officer's equipment.

**Marine Training** - We have traditionally offered two separate training sessions in the area of marine enforcement and boat handling. All Michigan conservation officers are required to complete the week long Basic Marine School, which takes place on one of the largest inland lakes in the state.

This training familiarizes officers with boat handling basics, state & federal boating laws, on water enforcement techniques, boat maintenance, towing, victim rescue, knot tying, and basic navigation skills to name a few. While on the water, officers are put through a series of low and high speed exercises, giving them the skills and confidence to safely perform their duties on marine patrol.

The Advanced Marine School is also a one week course, and is offered to those officers who have already completed the basic course, and tend to operate vessels on the large open waters of the Great Lakes. A large part of this training is conducted on the open waters of Lake Huron & Lake St. Clair.

The Advanced Marine School is similar in format to the Basic Marine School, with the difference being an emphasis on the safe operation of the larger patrol vessels. Advanced training in marine navigation is also covered, with special attention to operations in large waters.

**Off Road Vehicle Training** - Off road vehicle training, (ORV/ATV & snowmobile), is offered to all officers typically at the start of their careers. This training familiarizes officers with handling dynamics, and special considerations when operating/patrolling on these types of vehicles. This training is typically one week long, and is instructed by seasoned officers familiar with the benefits of using these machines as a tool for law enforcement.

Much attention is given to the safe and proper operation, not to mention an in depth review of the laws pertaining to these machines. Officers are afforded the opportunity to apply the skills learned at the school on courses set up by the instructors in areas and terrain typically found during a patrol.

**Video Training Presentations** – LED strives to maintain a cutting edge on the training of its officers. A recent addition to the overall training program is the production of videos which recount and re-enact actual high stress critical incidents in which our officers have been involved.

Officers voluntarily re-enact and explain their stories during potential deadly force situations in a video training format. Each officer explains in detail what they felt went right and what went wrong in an effort to make other officers formulate a plan in the event they are ever confronted with similar circumstances.

These videos are viewed at designated training sessions and meetings to allow for an open discussion about the incidents. An overwhelming number of officers have stated that the videos have a stronger impact on them due to the involvement of a known fellow officer in familiar locations.

**Field Trauma Training** - We have many new innovative and standardized training developments that have occurred within the Field Trauma Program the last few years. We have standardized our field first aid kits and our instructor course and the quality of first aid training each officer receives.

We have created a standard of care and education for our officers. We currently have 16 field instructors and 2 instructor trainers across the state that are all American Red Cross certified. These instructors are currently certified by the American Red Cross to teach basic First Aid and CPR/AED for the professional rescuer (ECC 2005 standards). They have a clear understanding and goal of the basic first aid needs of our officers and have shown true dedication to delivering the information in a creative and effective way.

In 2006, research was done on automated external defibrillators and their use, benefits and costs. The division ultimately purchased four of these units made by Phillips. They have been a great accomplishment for us as a division when it comes to emergency preparedness for our officers and employees. All employees who have been issued the units and some Lansing staff have been effectively trained on their use.

With standardized first aid kits across the state, we have put into place a system for instructors and field supervisors to place orders of standardized equipment. The days of not knowing what is in your partner's first aid kit or how to use something are over.

Our current first aid instructors have come together and been very responsive to changing the way Field Trauma Training is delivered to our officers. From the training objectives chosen for our updates, to the way the training is delivered are priorities for our instructors. New interactive ideas such as using glow powder for disease transmission training to intergrading relevant video clips have been accomplished. We have a great group of instructors that continue to strive for a better program and way to teach it.

**Firearm Tactics Training** - Our division has recently embarked upon a transition to the new Sig Sauer DAK pistol that replaces the previously existing Sig Sauer DAO pistol. The new pistol features an enhanced trigger system and an accessory rail. The accessory rail allows for use of a tactical illuminator (flashlight), which attaches directly to the firearm. Officers have been issued the new illuminators (Streamlight Model M-3X) and are training with the new pistol/light combination as they are distributed. The attached tactical illuminator eliminates the need for holding a flashlight in a separate hand, and also serves as an important back-up light should an officers primary light fail.

Additionally, our division has begun distributing and training with a new Level II security holster. The holster, Safariland Model 6280, affords the shooter an added level of security while also allowing for rapid pistol draw and return to the holster without the need for fumbling with problematic snap closures. The new holsters feature a rotating hood design, which is easily activated by the shooter when drawing the gun. Return of the gun to a secure holster requires only simple gross motor skills.

**Drive Training** - We have recently sent the final few remaining non-Michigan State Police (MSP) certified driving instructors to the Michigan State Police Precision Driving Instructor Development Course for certification. This course is recognized as one of the best in the country. Having all of our

precision driving instructors certified through MSP allows us to use the MSP Precision Driving facility located at the Training Academy in Lansing. For the first time, this year's annual in-service precision drive training will occur at the MSP facility.

We have developed an off-road driving course that is being utilized at the recruit level. Recruits in our academy receive this additional training in off-road driving. This training utilizes LED patrol trucks at a remote site that features varying terrains similar to those encountered while working throughout the state.

**Fitness Training** - The DNR LED Fit for Duty program continues to evolve and is rapidly shifting from mostly voluntary to mostly mandatory or required. FFD training personnel are currently and continuously working to improve the program by exploring alternative exercises that promote long term health and fitness, while also allowing for accurate measurement of an officer's ability to perform the day-to-day functions of a conservation officer.

### **Funding and Staffing Issues**

The DNR's Law Enforcement Division is under severe budget constraints as Michigan's economy continues to struggle. The division's budget is under multiple attacks. Its general fund allocation has been cut by about 50% over the past five years as the state attempts to balance its budget. As the sale of hunting and fishing licenses continues to fall, coupled with fees that haven't increased in ten years, the DNR has to cope with a reduction in its largest funding source. Other sources of state restricted funds are also facing structural deficits with fund balances rapidly being depleted.

Budget difficulties are manifested in staffing shortages. The division has about fifty officer vacancies, shortages in dispatcher positions, and vacancies in various administrative support positions. With a hiring freeze established and a lack of funds, no relief is foreseen. However, the legislature is reviewing legislation to increase hunting and fishing fees that should allow us to begin rebuilding.

### **Major Conservation Law Enforcement Trends**

Violations that cross state lines or even between countries have risen exponentially over the years with more hunters and anglers venturing out of state to pursue their passion. With the power of the internet and the affordability of hunting in other states, many individuals travel to other states. The Interstate Wildlife Violator Compact could really prove to be a beneficial tool to curb repeat offenders from hunting in those participating states.

Web based investigations have become the nexus for discovering and conducting investigations in the 21<sup>st</sup> century. (i.e., eBay, chat rooms, etc.) The old cliché of "if you cheat in one area you cheat in all" certainly holds true for web based investigations as well. The SIU conservation officer detective has seen a steady rise in an area of criminal misconduct via the internet that would not be seen through normal, traditional investigative means.

We as Michigan conservation officers are seeing a greater trend to assist with such missions as search and rescue. With fewer law enforcement members in the state, Michigan conservation officers may see an increase in demand for SAR missions.

Michigan conservation officers have participated in Quick Action Deployment (QUAD) training provided by the Michigan State Police. This training has prepared officers to respond to emergencies requiring quick action such as school shootings. Considering our officers are spread across the state, in rural areas, it is likely that they could be first responders on the scene.

**Terrorism & Homeland Security** - Michigan shares hundreds of miles of border with Canada on our Great Lakes. Conservation officers regularly patrol these areas by boat and snowmobile. Michigan conservation officers are also listed as secondary responders in Michigan's Emergency Management Plan (EMP). In addition, our entire list of specialized equipment, including boats, snowmobiles and ATVs, are inventoried as available in the event of an emergency. If an attack or disaster occurs in Michigan, conservation officers will be asked to respond to utilize special training and specialized equipment to assist in those situations where our training and equipment is needed.

Another major trend is the enforcement side of disease related issues such as tuberculosis (TB), chronic wasting disease (CWD) or even viral hemorrhagic septicemia (VHS). Interstate cooperation is needed to keep this disease issue from spreading. Wisconsin is a CWD positive state. To prevent the spread of CWD, Michigan has established special regulations on importation of cervids into our state. This has required some cross boundary coordination of publication of the regulations to both state's hunting public.

Michigan conservation officers work many joint patrols with local agencies that are unique to geographic areas usually involving organized events on our water ways, snowmobile trails, and state lands. Use of alcohol is usually an issue in these projects. The State of Michigan 800 MHz radio system has provided seamless communication between our agency and other state and local agencies in these enforcement efforts.

A few years ago, Michigan Wildlife Division started utilizing web based registration of furs and other wildlife. Conservation officers increasingly utilize these data bases for investigations involving violations of over limits and season's restrictions with successful results.

#### **Unique Cross Boundary or Cooperative Enforcement Efforts**

Michigan conservation officers have several ongoing investigations with surrounding states involving cross boundary illegal fur activity (i.e., fur taken in one state but claimed to have been taken in another).

Michigan conservation officers have several ongoing investigations with surrounding states involving illegal fish harvest on the great lakes. These investigations involve fish taken over one jurisdictional boundary and claimed to have been taken in another.

Michigan conservation officer detectives (Special Investigative Unit) work closely with eBay Fraud Investigations Team (FIT). FIT is an excellent asset when conducting web bases investigations.

The Wildlife Violator Compact is still in its infancy stage, but is destined to be a highly effective method in preventing violators from simply changing jurisdictions once caught and their hunting privileges are revoked. This shared data base of information between states with the reciprocal revocation of hunting privileges will surely impact the violator's ability to freely continue their law breaking habits in another state where they would normally be an unknown player.

#### **New Innovations in Conservation Law Enforcement**

The use of DNA analysis is continuing to become more useful and prevalent in the prosecution of wildlife crimes. With the current status of the state budget, it is a concern that this tool will be taken from our enforcement efforts. Dr. Skribner provides a valuable service which has resulted in convictions on cases from around the state. He has compiled a DNA database on several priority species that we will continue to be able to utilize if his funding from the Department is continued.

Another area of recent forensic development has been with strontium isotope testing. Michigan DNR established a partnership with Michigan State University to develop a data base of DNA from animals taken across the state of Michigan. Using this technique, we can often determine the particular geological area from which a sample originated.

Michigan Law Enforcement Division applied for and received 11 thermal imaging devices and 11 night vision goggles under a homeland security grant. This equipment will be issued to field districts and included in inventoried equipment to utilize in disasters, events, and investigations of suspicious activity relating to homeland security.

Michigan conservation officers have increased use of new and improved electronic devices such as surveillance cameras, microchips, and GPS tracking devices. Digital technology is becoming the dominant format for both audio as well as photographic devices. Digital devices typically provide greater quality in a smaller, more concealable package. Some of SIU's surveillance equipment is quickly becoming outdated and has outlived its life expectancy.

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

**Court Decisions** - Currently, the Michigan Supreme Court is considering arguments that challenge the validity of certain city ordinances, specifically a city's ability to enact ordinances that regulate firearms in such a way as to also regulate hunting. A criminal court case involving a violation of such an ordinance that originated in the city of Saginaw, has slowly moved its way through the judicial system and finally into the Michigan Supreme Court. If the court decides that such ordinances were enacted without proper authority, LED could very well be overwhelmed with requests from cities to enact local hunting area controls in an effort to control firearms within those cities.

**Riparian Rights** - Riparian Rights in Michigan have been historically linked to controversy. Recent Supreme Court rulings have forced the LED to abandon a much relied upon old legal research document that due to these recent rulings, is now mostly invalid. A team of law students from Lansing's Cooley Law School has been consulted with and is now working in conjunction with the DNR's Legal Services Office in an attempt to research laws and court rulings to create a new legal reference document for Riparian Rights in Michigan.

**Lowered Hunting Age and Apprentice Licenses** - In July of 2006, the Michigan Legislature passed legislation that lowered the minimum hunting age from 12 to 10 and also created an apprentice license. Because of both the lowered hunting age and the apprentice license program, Michigan saw an increase of about 18,000 hunters during the 2006-2007 hunting seasons. While an increase in hunters afield is a positive outcome of this legislation, it creates a challenge and an additional burden for the already spread thin field Conservation Officers.

**Enforceability of Laws** - Legislation allows the Director and the Natural Resources Commission to regulate hunting, fishing, and land use by establishing orders. Many times LED is not a part of this process, allowing only input from the Wildlife Division, the Fisheries Division, or the Forest, Mineral, and Fire Management Division. Unforeseen law enforcement challenges may arise which could cause a new regulation to be essentially unenforceable which in turn might affect the public's hunting or fishing experience in a negative fashion.

### **Cost Savings Initiatives**

**Staff Reductions** - In 1990, Michigan had 257 commissioned conservation officers. By 2000, the number dropped to 228. Today the number of officers has fallen to 208. With approximately 50 vacant conservation officer positions, enforcement hours are significantly reduced and geographic areas are left with little or no officer presence.

The division office staff has also been subject to reductions. In 2000, the staff had 29 employees. Today division staff is comprised of 22 employees. Significant vacancies exist in supervisory and financial positions.

**Overtime Reductions** - Overtime is used by officers to provide extra enforcement hours on holidays, and season opening days, and to provide critical protection to fish and wildlife during vulnerable times of the year. During fiscal year 2002-2003, conservation officers were allocated nearly 35,800 overtime hours in all programs. With reduced numbers of officers available, overtime hours were also reduced so that for the current year, the overtime allocation in all programs is just over 24,000 hours.

Vehicle Reductions - With the reductions in officers, there would naturally be a reduction in the number of patrol vehicles needed. However, LED has exceeded this number by eliminating extra patrol vehicles that are used when others are being repaired. Actual count of vehicles in the LED fleet has dropped from 260 in 2001 to 220 today.

**Equipment Replacement Delays** - LED is the primary agency for enforcing marine safety, snowmobile and off-road vehicle laws. To achieve this mission, the division maintains a fleet of watercraft, snowmobiles and off-road vehicles (ATVs). Further this equipment is used to gain access to remote areas to protect natural resources and public safety.

Because of this equipment's rugged and frequent use, its useful life expectancy is less than ten years for snowmobiles and ATVs. When the equipment ages, it costs more to maintain, is unavailable for use more often, and prone to break down during use, putting officer's safety at greater risk.

Today, about 40% of the LED's snowmobiles and one third of the ATVs and watercraft are ten years old or older.

Additionally, the division maintains less equipment than five years ago. We have disposed of excess and obsolete equipment. We also leverage our purchasing power by trading in old, obsolete and inoperable equipment when purchasing new equipment.

**Travel Reductions** - The training demands of a conservation officer exceed those of most employees. To be more efficient in delivering training programs, the division holds several programs simultaneously to reduce travel expenses. Car pooling is encouraged whenever officers travel to meetings, training or other events.

The division has cancelled its annual professional development training for five straight years at a savings of approximately \$70,000 a year and it uses technologies such as audio and videoconferencing to hold meetings with distant supervisors.

**Use of Volunteers and Short Term Workers** - Volunteers are the primary hunter education providers to the youth of Michigan. We currently have 2711 certified volunteer instructors that taught 29,693 youth in 2006. Volunteers put in 41,570 hours at a value of over \$764,000 if paid at an entry level officer wage.

The Department's shooting ranges experience times of high usage and low usage. When the ranges are too busy for full time staff to manage safely, short term workers are used. They are used only when needed and cost less than full time staff.

The communications center also has peak times of year, especially around the deer hunting seasons. During these times, LED utilizes Parks and Recreation Division employees who would otherwise be laid off to staff the telephones. These employees provide a valuable service to conservation officers and the public for a few weeks when needed most.

### **Other Special Law Enforcement Issues**

**User Trends** - While angler and hunter numbers have declined snowmobile, off road vehicle (ORV) and boating users have remained constant or in the case of ORVs are growing. This places additional needs in our information and education outreach, additional complaints and prosecutions, and can reduce

efforts in traditional resource enforcement. Michigan has never had a comprehensive ORV safety education training that reached adequate numbers of youth needing the training until the last two years.

Snowmobile fatalities were the lowest since 1994 with a total of 20 for this past winter. Many seasons in the late 1990's were double that. Zero tolerance for alcohol and reckless operation appear to be making an impact. A shorter season also contributed to the decline but this trend has been observed over the last several years.

Legislation recently in effect changed many boating violations from misdemeanor violation to non-criminal civil infractions.

Introduced legislation could open up the county roads to off road vehicle use. While this does not directly affect the state resources it could result in an increase of illegal use on state and private property.

**Officer Safety Concerns** - Michigan has lost over 1300 police officers from all agencies due to loss of revenue. This impacts all agencies in their ability to protect the public and each other.

The proliferation of methamphetamine and the manufacturing of it occur on state lands, parks, and in motor vehicles in rural areas creates dangerous hazards for COs and sportspersons. Clean up costs can be tremendous for these that are abandoned on state property. Fortunately another state program takes care of the costs of cleanup when properly reported.

LED has decided to implement tasers into the equipment carried by conservation officers.

**Homeland Security Grants** - The Department of Natural Resources received over \$800,000 of Homeland Security grants for a variety of projects.

**Hunter Education Outreach** - The Hunter Education Section of the Law Enforcement Division utilizes recruitment programs to bring non-traditional groups into the sport of hunting. Specialized hunter education instructor workshops geared toward women are held to bring more women into the ranks of hunter education instructors. Presentations about hunter education in Michigan have been made to other non-traditional user groups such as the Grand Moose Lodge of Michigan at their state convention and the religious based Royal Rangers.

Hunting Incidents - In 2006, hunting incidents were up from the previous year, but overall the numbers were slightly down. 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. In 2006, there were 31 casualties of which 4 were fatalities; 13 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 Conservation Officers Celebrate 120<sup>th</sup> Anniversary in 2007**  
**Minnesota Department of Natural Resources/Law Enforcement**  
**May 18th, 2007**

**Training Issues:**

The February 2007 Academy of 18 brings our Division to what we consider full compliment (205) of which 154 are Field Officer Stations. 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 16 week Field Training Program.

We will focus on training programs for veteran Officers in the Fall of 2007. 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 fully Staffed effective February 2007, a full Division complement of 205 Licensed Conservation Officers (Peace Officers).

### **Major Conservation Law Enforcement Trends:**

A large trend in Conservation Law Enforcement today continues to be a increased workload in enforcing recreational vehicle laws. ATV's, OHV's, and OHM's usage have called for work hours from the Conservation Officers in the State of Minnesota. Hours worked on these recreational vehicle issues have increased 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 other 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.

### **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 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 Conservation Officer Section** continues to be a one of a kind Program designed to enforce Minnesota's 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 29<sup>th</sup> 2002 the Minnesota Supreme court ruled that occupants of a fish house or shelter have the same 4<sup>th</sup> 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 Officers 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 Ice Fishing Season the Division has documented refusals. This issue is one that is very frustrating to Officers who are literally handcuffed in their enforcement of the winter fishing regulations.

*Minnesota Legislature Convened on January 2<sup>nd</sup>, 2007 and is planned to adjourn on May 21, 2007.*

At the time of this writing (May 18<sup>th</sup>, 2007), Several Policy Bills are being discussed, as a reminder these possible changes are being discussed and may **not** become law, always check Minnesota Current Laws before you engage in the activity [www.dnr.state.mn.us](http://www.dnr.state.mn.us) :

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

- Define immediately returned to the water relating to fish
- Authorize Spouses of Active Military Duty home on leave to purchase licenses at Resident rates
- Establish an Apprentice Hunter validation
- Expanded taking of lake trout for assessment and sale authorized in Lake Superior
- Walk-in area plan and recommendations required
- Smokeless powder authorized for muzzleloaders
- Minimum bow draw weight for Deer reduced from 40 pounds to 30 pounds
- Authority for the Commissioner to provided white sucker spearing and dip netting prior to May 1 of each year
- Increasing pheasant bag limit from 2 to 3 after the first 16 days of the season
- Eliminating the separate license to spear from a dark house
- Removing the requirement that a person must live on the land to get a free deer license for persons who own 80 acres or more in managed or intensive areas
- Authorize a crossbow license for deer hunting during the Regular Firearms Season
- Allowing the use of a lighted decoy for spearing fish
- Exempt military personnel who have completed basic training from the range and shooting exercise portion of Firearms Safety Training
- Authorize Spencer cartridges for big game hunting
- Trapping added to the lifetime small game license
- Allowing remote control devices for electronic fox and coyote callers

### **Cost Savings Initiatives:**

Nothing Specific.

**Other Special Law Enforcement Issues:**

Nothing Specific.

---

**MIDWEST NEWSLETTER  
MISSOURI DEPARTMENT OF CONSERVATION  
DENNIS STEWARD, PROTECTION DIVISION CHIEF  
4/10/2007**

**Training Issues**

Protection Programs Supervisor Cheryl Fey was hired as our new training coordinator effective May 1. Cheryl brings 18 years of field experience to the position with over 12 years as a field training supervisor. She has been an interim training coordinator with past training classes and we look forward to her innovative training approach.

Missouri will not hold a training class until sometime mid to late 2008 if necessary or possibly even 2009. We are almost at full strength and during this time will be taking a critical look at our entire training program. Our goal is to stay current with today's resource law enforcement trends while re-focusing on conservation issues within our training program.

Both our Protection Intern program and Protection Volunteer program continue to produce quality results. The paid intern program exposes potential job candidates to our overall agency programs. The volunteer program offers college students the opportunity to participate and be exposed to a wide variety of conservation practices and programs. Both of these programs are aimed at providing opportunities for future employees in the resource management field.

**Funding and Staffing Issues**

Currently we are one position below our authorized strength and just had a training class graduate in late 2007. The Governor and State Legislature have proposed a 3% raise for state employees though at this time the legislation isn't completed.

Protection Division recently completed a workload assessment plan to provide insight into staffing issues based on criteria that currently contribute to field personnel's day to day work activities and job duties. Those factors were used to determine the potential workload within each county. The assessment also provides a measurable scale so that each county could be compared throughout the state. The results of the assessment closely resemble our current staffing allocations but do identify potential areas of improvement for the future. As new information and directives change over time, the model can be easily modified and re-run to produce new results based on changed or updated information.

**Major Conservation Law Enforcement Trends**

Our Share the Harvest program has continued to grow and provide additional pounds of venison for less fortunate Missourians. In 2006 322,469 pounds of venison were donated by over 6,500 hunters. The program is currently in 80 of our 114 counties throughout Missouri. Since the inception of the program in 1992 Missouri hunters have donated over 1.4 million pounds of deer meat to other Missourians.

Missouri's Operation Game Thief program produced 742 calls which resulted in 290 citations to wildlife violators. The bulk of the arrests continue to be deer related but 33 citations were issued for fishing related violations. The Operation

Game Thief program continues to provide an important avenue for citizens to assist with wildlife law enforcement and the protection of the state's resources.

### **Unique Cross Boundary or Cooperative Enforcement Efforts**

A joint multi-state Commercial Fishing Sturgeon Patrol was held on the Mississippi River from the top of Missouri to the tip of our boot heel. The Fish & Wildlife Service helped coordinate the patrol and assisted throughout the river system. Illinois, Kentucky and Tennessee joined Missouri in addressing commercial sturgeon fishing activity. Missouri Conservation Agents also patrolled the Missouri River from about mid-state to the confluence with the Mississippi River.

Two illegal pallid sturgeon cases were made during the patrol as well as citations for netting violations. The joint resource enforcement effort was designed to address a valuable sturgeon resource on Missouri's big rivers.

A six year old joint undercover case with Colorado has come to a successful conclusion. The charges stem from a Colorado undercover case which was initiated by a Missouri Conservation Agent. Charges on six individuals resulted in over \$30,000 in fines, costs and lost wildlife mounts. In addition to the fines, Missouri Agents seized multiple game mounts that were taken illegally in Colorado. Felony and misdemeanor convictions resulted in a deferred 3 year prison term, loss of hunting and fishing privileges and significant fines.

The successful completion of this joint investigation involving multiple violators is just one example of how states can cooperate to bring resource abusers to justice. The cooperation and communication between Colorado and Missouri Agents produced a top quality outcome with the hunters receiving revocations through the Wildlife Violator Compact.

Missouri Conservation Agents have assisted with the State Emergency Management Agency with several disasters. Agents assisted in a major ice storm centered around the Springfield, Missouri area. Tornado assistance in Southeast Missouri and flood work in Northwest Missouri both helped Missouri citizens during difficult times. Rescuing Missourians, assisting people in a variety of ways, helping clear roads, and providing security were all significant roles for Conservation Agents in the disasters.

### **New Innovations in Conservation Law Enforcement**

Protection Division recently completed an In-Vehicle Computer Test that involved two computers and approximately two years of testing. This laptop computer allowed the field tester to access law enforcement records, permit sales records and GPS data from his vehicle. Day to day reports and email were also available when the Agent had time to work on administrative duties.

Overall the test which utilized cellular, wireless internet connections was a success. The testing Agent reported increased effectiveness, especially during those high resource user periods, i.e. deer season and turkey season. His report indicated he had more field time, fewer miles driven and better access to all types of information. His conversion rate of ticket to investigation went up because of the instant data at his finger tips and he reported not having to do as much administrative work at home after his normal shift due to the availability of email, reports, etc. within the vehicle.

Unfortunately it appears our current budget status will probably not let us pursue wholesale dissemination of this valuable piece of equipment. We continue to explore options and opportunities to fund this new technology.

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

A state statute designating Missouri Conservation Agent vehicles as "emergency vehicles" passed both the State House and Senate and is on the Governor's desk awaiting his signature. This legislation clears

up a gray area in the state's emergency vehicle definition. Though we've felt for decades that we are an emergency vehicle, this simple language change in the statute clarifies the issue from a legal standpoint and represents a positive piece of legislation for Missouri's Conservation Department.

The Department is also seeking a penalty clause for our Hunter Orange regulation outside the normal deer seasons. We've had a regulation in place for several years without a penalty clause. The legislative addition of a penalty would allow field agents to address flagrant violations of the hunter orange rule.

Missouri's Conservation Commission recently rescinded our Handfishing Season. This controversial season has generated much debate within the state on the handfishing issue. New scientific research has shown that removing a catfish from an active nest has devastating effects on the production of young catfish.

Chronic Wasting Disease continues to be a National and State wildlife management issue. The Missouri Department of Conservation and Department of Agriculture work jointly to protect, monitor and inspect deer and elk herds within Missouri. A CWD Task Force comprised of those two agencies, breeder representatives and other stakeholders meet regularly to keep Missouri CWD free.

### **Cost Savings Initiatives**

As a cost saving initiative our agency has chosen to provide the mid-size Chevrolet Colorado pickup trucks as the primary Conservation Agent patrol vehicle. The smaller pickups will provide a fuel savings over several years and hopefully provide a quality resale value in this age of higher gas prices. We continue to provide the full size pickup in special cases for towing capacity, officer size, etc.

At the beginning of July 1, 2006 the Department implemented a 10% mileage reduction to help save on agency fuel costs. Protection Division is close to meeting that reduction goal and Division personnel have had to be creative to meet public/resource demands while achieving the fuel reduction goal.

### **Other Special Law Enforcement Issues**

The Department will experience a high number of retirements during the next few years, as the "baby boomers" retire. Our challenge in Missouri and across the nation will be to retain the necessary "institutional knowledge & memory" and to attract younger field employees to leadership positions.

---

## **WAFWA LAW ENFORCEMENT COMMITTEE 2007 STATE REPORT – MONTANA By: *Jim Kropp, Chief, Law Enforcement, Montana FWP***

### **AGENCY OVERVIEW:**

**Are officers 100% Wildlife Law Enforcement or Mixed:** Mixed between Fish, Wildlife and Parks Programs.

**Straight Line Reporting Structure:** No. Officers report to Regional Captain who in turn reports to a regional supervisor who oversees all FWP activity in administrative region (7 in Montana.)

**Number of Officers:** 72 Field Officers, 16 Regional Officers (Captains and Sear gents), 6 Investigators.

## **TRAINING ISSUES:**

### **FTO / FTEP**

The Enforcement Division's regional Field Training Officers met in January and agreed to several modifications to the FWP field training and evaluation program. The division is now using a "hybridized" Field Training Officer program. This new and improved model uses both task oriented training and evaluations as well as problem solving exercises. New hires are evaluated on different scales, must make daily journal entries of their activities, and field training is complete at the one year hire anniversary date. In addition, the new hire must complete 4 problem-solving exercises with the final one due and presented to regional staff at the one-year anniversary date. The current 6 new hires are test pilots to this new program. What is especially notable is that this process was developed from the experiences of the department's most active and engaged field training officers.

### **Annual Enforcement Division Training Seminar**

The Enforcement Division's annual training seminar was held in April and included all officers and law enforcement staff in Helena. Topics included High Tech Investigations, Oil and Gas Development in MT, Forensic Geology, a presentation by the Wyoming Game and Fish Crime Lab, Native American Law Enforcement issues, mobile radio training, and Computer Data Bases. The annual regional handgun competition took place which is held in memory of State Game Warden Gene Sara who was killed in the line of duty in 1974.

## **FUNDING AND STAFFING ISSUES:**

The Enforcement Division continues to be in an intensive hiring cycle. Six wardens, 2 warden trainees and 2 water safety officers have been hired so far in 2007. With retirements and pending legislation, we will likely be hiring at least 6 more in 2007. In addition, Montana, like most states, has seen a noticeable drop in qualified applicants. This may be a result of a lowered interest in law enforcement careers by young people. Additionally, pay offered wardens as well as parity with other law enforcement agencies in the state continues to be a major recruitment and retention issue.

Funding will continue to be an issue as the historic system of funding the entire agency is being revamped to a zero-based budget. This system, combined with restrictions on license increases imposed by the governor, will require a new approach for short and long range funding of agency program that are supported solely by license dollars.

## **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:**

- Commercialization of public resources.
- Large-scale, complex unlawful activity.
- Commercial activities associated with fish and wildlife that fall outside current statutory regulation.
- Expansion of the Regional Investigator positions.
- Increase in activities of department Criminal Investigations Section (covert investigators)
- Boating and Water Safety.
- Necessity to expand warden duties beyond historic roles, particularly in recreation management.
- Human-Wildlife Conflicts in residential areas.
- Energy Development and subsequent law enforcement and resource impacts.
- Threatened and Endangered Species.

## **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:**

### **Recreation Warden Positions**

In an on-going attempt to address issues revolving around increasing and intensifying public general recreation on public lands and waterways, FWP initiated a program in 2005 to have certain warden positions (three) specifically dedicated to recreation management and law enforcement. This is for areas of historically high use such as rivers and parks areas. These officers focus in on a wide array of general

issues and present a high visibility presence to further compliance with the state's use laws. Law Enforcement and the Parks Division fund positions cooperatively. In particular, these positions have been concentrating on compliance and enforcement of Park and Fishing Access Site rules, boating, camping and other recreation issues. So far, this effort has been highly successful and is planned for expansion in the future.

### **Chronic Wasting Disease and Carcass Transport Regulations**

In an effort to prevent CWD from affecting Montana's wildlife populations, the FWP Commission passed a carcass transport regulation in February of 2006. That regulation prohibits importation into Montana whole heads and spinal cords from cervids harvested in 14 states and 2 Canadian Provinces that have detected CWD in either free ranging cervids or captive cervids. Conversely, Montana has published information in its big game regulations informing out of state hunters what states prohibit whole carcasses of animals harvested in Montana from being transported back to that state. At the same time, Montana has entered into discussions with other states to develop a consistent approach so that hunters know whether there are regulations in their home states limiting transportation of carcasses.

In September of 2006, Montana finalized its CWD Management Plan. That plan outlines decision points and steps to be taken should CWD ever be detected in Montana's free ranging cervid populations. The plan calls for potential population reduction efforts following baseline sampling of an "affected" area and dependent on what incidence of CWD is detected in the area. To date, Montana has now tested a total of 10,643 samples and has yet to detect a case of CWD in free ranging cervids.

### **Exotic Species Regulations**

In January of 2004, a law became effective in Montana regulating the importation of exotic wildlife species. Exotic species are classified as non-controlled, controlled, or prohibited for private possession. Since 2004, a number of species have been added to the classification lists. Exotic species that have not yet been classified are considered as prohibited until classified and may not be imported into Montana. Individuals possessing controlled species must obtain a permit from FWP and report annually the inventory possessed and any transactions that occur regarding the species. This new law is intended to protect Montana's native wildlife species, livestock, agriculture, and human health and safety.

## **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:**

### **Increased use of new technology in the investigation of resource crimes**

#### **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. A third position was added in 2006 and two more are currently being advertised.

#### **Information Sharing with Montana Department of Revenue**

Montana Fish, Wildlife and Parks continues its work with the Montana Department of Revenue in various cases including residency and unlawful outfitting. Efforts are still being refined but have resulted in an enhanced ability to track and identify unlawful resident license purchases as well as establish the legality of other commercial operations that are suspected to be illegal.

#### **Enough is Enough and TIP MONT Trailer**

An initiative by the Law Enforcement Division, entitled *Enough is Enough* has met with overwhelming acclaim by sportspeople and the general public. The message of this strong, anti-poaching and anti-illegal commercial resource crime effort has resonated state, region and nation-wide. It identifies the main target of FWP wardens as the large-scale, complex, illegal hunting, fishing and resource criminals

who illegally benefit from Montana's wild resources. Through publicity campaign that included a major article in the department publication, *Montana Outdoors*, public help and support is elicited to identify and convict those who exploit Montana's wild resources for their own personal gain. TIP-MONT, the state's wildlife violation hotline program has dovetailed efforts with Enough is Enough, with a trailer that is taken to county fairs, sports shows and other public events. In this trailer are examples of wildlife unlawfully stolen from the people of the state as well as encouragement to "...make the call." Overall, Enough is Enough has struck a chord that has aided in legislative efforts as well as popularization of the TIP-MONT program.

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

Montana Fish, Wildlife & Parks law enforcement was successful in having four main bills passed in the 2007 Montana Legislature. The group, known as the Poacher's Package provided statutory authority for a number of things felt to be critical in the efforts of Montana Wardens to curtail unlawful resource activities in the state. The Poacher's Package included formal prohibition against the transfer of replacement licenses, reallocating all restitution collected from fish, wildlife and parks violations directly back to the agency rather than a portion going to the state general fund, excluding game wardens from a 4% vacancy savings provision required of most state agencies, and making certain unlicensed outfitting activities felonies under state law. This package was overwhelmingly supported by conservation groups across the state and received huge bi-partisan support in the legislature.

Two other bills, one allowing FWP officers to enforce Minors in possession laws on state property and another to clarify Montana's Boating under the Influence laws, were defeated.

**COST SAVING INITIATIVES:**

- FWP Law Enforcement is currently pursuing partnering with other agencies in the purchase of equipment and supplies such as radios, lights, and other gear to help save in purchase costs.
- In an Attempt to further reduce costs, FWP Law Enforcement is making efforts to standardize vehicle specifications for ordering purposes, while at the same time, providing vehicles that address issues of officer safety and logistical utility.
- The Law Enforcement Division continues to strive to work with other divisions in developing positions that are cost-shared, solving multiple issues, providing a visible and important compliance element at the highest possible level of cost effectiveness. These include Recreation Wardens and new positions cost-shared with DNRC to provide state trust land rule compliance and protection.

**OTHER SPECIAL LAW ENFORCEMENT ISSUES:**

In July 2008, Montana will be hosting the North American Wildlife Enforcement Officers Association (NAWEOA) conference in Great Falls, MT. The entire enforcement division will be assisting and participating and officers from across the nation are cordially invited to attend.

---

**Association of Midwest Fish and Game Law Enforcement Officers  
Nebraska State Law Enforcement Report  
Submitted by: Ted Blume  
Administrator, Law Enforcement Division  
Nebraska Game and Parks Commission  
May 2007**

**TRAINING ISSUES**

We have initiated an ATV training program within the Law Enforcement Division after two Conservation Officers (COs) recently attended ATV law enforcement training sponsored by the Iowa Department of Natural Resources. These officers presented a basic ATV orientation in May to approximately fifteen Nebraska Conservation Officers and ten Buffalo County deputy sheriffs prior to the 2007 Outdoor Expo held in Kearney. The ATVs were used by the Security Detail COs for transportation at the event to very good effect. Additional more in-depth ATV training will be provided in the near future for all COs assigned ATVs and those who will have occasion to use them.

The Division co-hosted, with the Iowa DNR, the 2006 Association of Midwest Fish and Game Law Enforcement Officers Conference in Omaha last July. There were representatives from twenty-two states and provinces in attendance. By all indications it was a great success and some valuable and timely training was provided on such topics as Conservation Officer disaster response; quota free productivity and performance assessment systems; officer hiring processes and instruments; the Reno method of field training; and how to survive as a natural resources agency in a time of changing societal expectations and perceptions; among others.

All Nebraska Conservation Officers completed required Homeland Security National Incident Management Training (NIMS) in September 2006.

Due to a restructuring of the agency outdoor education and marketing efforts the Hunter Education and Boating Safety sections were detached from the Law Enforcement Division and returned to the Information and Education Division to help re-consolidate agency educational programs.

**FUNDING AND STAFFING ISSUES**

As with many agencies these days NGPC has been experiencing user recruitment and retention and cash flow challenges as well as rampant inflation impacts in such areas as vehicle fuel costs. As a result, there are several efforts in progress to help adjust to or modify these trends including:

- An agency process for operationalizing the long range plan to include prioritization of funding for the most important programs and projects has been initiated. The goal is to have a plan in place to guide the budget process for the next biennium which will begin in April of 2008.
- An Assistant Director in charge of Marketing for the agency has been hired and has initiated a marketing planning effort within the agency. Working with the agency Marketing Committee a marketing plan has been drafted and is being implemented. A large component of the marketing effort is directed to recruitment and retention of hunters, anglers and other outdoor recreationists.
- All divisions in the agency have been directed to reduce spending by significant amounts. For the Law Enforcement Division a reduction of 9% of allocated budget authority was mandated which has severely hampered our operational options.
- At the direction of the Board of Commissioners public contacts, programs and outreach projects in support of the recruitment and retention efforts and to help build the constituent support and involvement base overall have been prioritized.

## **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

The Law Enforcement Division has become more involved with the overall state program to reduce operating under the influence (OUI) – primarily directed at motor vehicle operation, but also including boating. The Office of Highway Safety (OHS) oversees the program and the grants that are funded for it. OHS has welcomed involvement by NGPC Officers and we are receiving a number of grants to pay overtime and expenses for the coming months. The philosophy of OHS has been that if the impaired drivers are contacted and dealt with on the water they won't get behind the wheel of a motor vehicle. In addition, our Officers also work motor vehicle OUI details in our Park and Recreation Areas, and grants are being approved for those as well.

With the increased emphasis on recruitment and retention of hunters, anglers and outdoor recreationists and related outreach efforts the Law Enforcement Division, with an already long history in such endeavors, is becoming more and more involved. Conservation Officers are routinely assigned to assist with presenting programs at the Becoming an Outdoors Woman event, Youth Outdoor Skills Camps and Outdoor Expos among many others. In addition we serve in general law enforcement roles at some of these events. At the recent 2007 Outdoor Expo in Kearney fifteen of the more than thirty COs assigned were on the Security Detail which provided day and night security, law enforcement and emergency response coverage for the event and facilities. This was also a cooperative law enforcement and emergency response project with the Kearney Police Department and the Buffalo County Sheriff's Department providing onsite officer presence and a communications RV for dispatching, record checks and patching radio communications for all agencies. The Nebraska State Patrol also assisted with traffic control getting participants into the area. These events often draw large crowds and the potential for problems is the same as at other larger gatherings. As an example, one component of the security guidelines was a Missing Child Protocol that was directed at insuring that a missing child did not leave the event site which involved shutting down entrances and physically searching any vehicles before they left. The protocol was tested at the Expo and worked quickly and efficiently.

## **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS**

Other than the cooperative law enforcement operations relating to the 2007 Outdoor Expo and similar events mentioned above some others in the recent past included:

Boating under the influence details on the Missouri River and Lewis and Clark Reservoir with the Iowa DNR and South Dakota Game, Fish and Parks as well as local agencies such as the Dixon and Washington county Sheriffs Offices, and South Sioux City PD among others.

Another cooperative investigation with the U.S. Fish and Wildlife Service is being brought to conclusion in May of 2007. This one, an overt investigation, involves illegal commercialization of wildlife and license fraud by guides from Nebraska and South Dakota, and hunters from states to the east. In addition there are always several smaller joint investigations in progress with the FWS.

The Highway Safety OUI details mentioned earlier often also involve Sheriffs' Departments and the Nebraska State Patrol.

Every two or three years we host a joint meeting with the Native American tribes' natural resources law enforcement personnel. The next meeting will be during the latter half of 2007.

We were not able to have legislation for joining the Wildlife Violator Compact introduced again this year due to other priority agency legislation directed at funding challenges, etc. We will continue the effort as opportunity presents itself.

## **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT**

With budget challenges restricting funding availability for new technology or equipment some potential enhancements have been curtailed for the time being. However, a current project to develop a new joint State radio communications system would have substantial impact on our ability to communicate and coordinate with other State law enforcement agencies. Currently, there are several State agency radio systems that are old and separate – ours, the State Patrol, Department of Roads, Corrections, etc. The new system will tie us all together and provide some communications enhancements such as wireless data that will greatly improve our operational capabilities. Even with the new system still in

development we have realized an initial additional benefit as part of the joint dispatch concept of the system consolidation - a new joint dispatch agreement with the Nebraska State Patrol gives our officers another dispatch and backup communications option 24/7.

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

The attempts in a growing number of states to restrict Conservation Officer authority to enter onto private property in the performance of their duties is a concern. While we have no current movement in that vein in Nebraska, South Dakota is embroiled in the issue and its presence in a neighboring state is disquieting. Often such concepts travel freely across state lines.

### **COST SAVINGS INITIATIVES**

Due to the budget challenges mentioned earlier, and the mandatory cuts in division budgets, the Law Enforcement Division has initiated some efforts to reduce expenses including:

- Holding three Conservation Officer vacancies unfilled for the indefinite future.
- Mandating a reduction of 15% in mileage driven by Officers from January through March of 2007 to save fuel funds for the busier spring and summer periods.
- Delayed replacement of equipment such as boats and other high dollar items.
- Review of equipment inventory to prioritize issuance of equipment and eliminate marginally effective and less necessary equipment items.
- Mandating planned patrol tactics and prioritization of complaint responses and other activities that can be combined and planned more efficiently.

The overall approach of prioritizing expenditures will hopefully result in a more streamlined operational philosophy and logistical structure.

### **OTHER SPECIAL LAW ENFORCEMENT ISSUES**

The increasing challenge is how the Nebraska Conservation Officer Corps will be able to do all the things that they are being charged with while realizing that additional staffing will very likely not be a reality. The enhanced emphasis on recruitment and retention is necessary and a logical priority. Hopefully, at the same time, the prioritization of programs and projects process that is underway will also identify some areas where efforts, time and resources can be reduced so that proper emphasis can be given to the new and other more immediate and important focuses. As with many agencies we have in some cases been doing business the same way for over thirty years and it is justified by the fact that we have "always done it that way". There are undoubtedly activities, programs and services that should be restructured or eliminated given the current state of operational and budgetary reality that would not negatively impact accomplishing the higher priority goals and objectives of the agency. This prioritization and revamping of how the agency and divisions do business is more necessary than ever if we are to position ourselves effectively for getting the job done for our wildlife and natural resources into the future with finite personnel and funds.

---

**State Report – North Dakota  
Submitted by Robert Timian  
Chief Game Warden  
May 16, 2007**

**Training Issues:**

Training issues for North Dakota generally fall into three categories.

- Training new hires. After an internal review of the most recent field training class we will be extending the program an additional two weeks to allow for more scenario based training.
- Continuing profession related training. This year in addition to regular annual training, we will be doing wet lab training for BUI detection. We are also sending eight field wardens to Montana for hands on training in field investigations of wildlife crimes. By the end of this year all field wardens and enforcement administration will be NIMS and ICS trained to appropriate levels.
- Career development training. We continue to encourage and make available opportunities for training in supervision and administration.

**Funding and Staffing Issues:**

We are currently fully staffed; additionally as of July 1, 2007 the legislation has authorized one additional position for the investigation unit which we hope to fill by August 1, 2007.

Budget outlook is favorable to receive some additional operating funds to offset increased mileage costs.

**Major Conservation Law Enforcement Trends:**

In North Dakota the commercial exploitation of wildlife continues to be a growth area for enforcement. Aquatic Nuisance Species is a relatively new area for us, currently the Department is working through how to implement the new laws in this area. We are not sure at this time how much additional work for enforcement this will create, but it could be significant.

**Unique Cross Boundary or Cooperative Enforcement Efforts:**

We continue to work closely with USFWS on a number of major investigations that are still producing good results in both State and Federal courts.

**New Innovations in Conservation Law Enforcement:**

The newest innovation is that we hope by the end of May 2007 to have signed a contract with Cody Systems for a new records and case management system that will allow us to take advantage of technology to provide better enforcement services.

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

2007 was a legislative year with the legislation finally completing its business in April. While a good number of bills were introduced, after much testifying and work with the legislation only a few bills passed, and those should not have a major impact on the department.

Cost Savings:

Although no specific plans are in place with one expectation, we continue to discuss possible contingencies should operating cost (gasoline prices) increase dramatically over the next two years. North Dakota is on a two year budget cycle. The one continuing plan is to maintain all large ticket items such as boats, ATV's, snowmobile etc. at a level that if budget shortfalls occur we could withstand a 2-3 year purchasing moratorium without adversely affecting our ability to carry out our mission.

Other Special Law Enforcement Issues:

Nothing Specific.

---

**NORTHWEST TERRITORIES COMPLIANCE DIVISION**  
**Environment and Natural Resources**  
**ANNUAL REPORT FOR 2007**  
**Dave W. Williams**

The mandate of the Minister 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, search warrant officer safety, evidence and court procedures and defensive tactics, wildlife immobilization problem wildlife, basic law, communications and range officer. Officers also completed re-certifications in firearms and defensive tactics. The department plans to introduce and implement fitness standards in 2008

FUNDING AND STAFFING ISSUES:

Currently have 63 officers deployed into 5 administrative regions in the Northwest Territories along with specialists in Headquarters. Compliance Division started reporting to the Associate Deputy Minister in January 2007. There are no significant changes in staffing in the Northwest Territories besides the hiring of two new regional managers within administrative centers well as two environmental assessment analysts 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. The department also has a MOU with the Tourism Department for the enforcement of the tourism and park legislation by ENR Officers

---

**AMFGLEO LAW ENFORCEMENT COMMITTEE  
STATE REPORT – OKLAHOMA  
By: Larry Manering, Chief  
Law Enforcement Division  
Oklahoma Department of Wildlife Conservation**

The following report covers the period July1, 2006 through June 30, 2007 (FY2007) for the Oklahoma Department of Wildlife Conservation, Law Enforcement Division.

**AGENCY OVERVIEW:**

The Oklahoma Department of Wildlife Conservation, Law Enforcement Division game warden's primary responsibility is to enforce the State's wildlife laws. Game wardens also participate and assist in all phases of the Wildlife Department's operations and programs.

The division consists of 118 employees, with a field force of 90 game wardens, 16 game warden supervisors and 8 district chiefs. Central office staff includes the chief, assistant chief, training coordinator and one secretary. The division operates with a straight-line chain of command.

**TRAINING ISSUES:**

Five new wardens were hired in August 2006. All new wardens undergo five weeks of in-house training and ten weeks in the Field training and Evaluation Program with a field Training officer. In addition,

they also attend the 370-hour Oklahoma Basic Law Enforcement Academy, all totaling nearly 27 weeks of training prior to solo assignment.

All wardens are required by state mandate to complete sixteen hours of law enforcement training and one hour of mental health training each year. In addition, all supervisors are also required to attend twelve hours of supervisory training each year.

The Division's training procedures were changed this year requiring more firearm training in safety, maintenance and scenario-based training including the use of live fire and non-lethal training ammunition (Simunition). All wardens underwent training scenario training using the Simunition equipment. Also all wardens are now required to attend an annual Defensive Tactics Refresher Course.

#### **FUNDING AND STAFFING ISSUES:**

The Oklahoma legislature recently passed a law allowing the Department to collect an administrative fine paid directly to the agency in lieu of the cases going to district court. The Administrative fines will be collected in the field by game wardens at the time of the offense for certain wildlife offenses that are promulgated by our commission. The new fines will allow the offender to save nearly fifty percent of the normal cost of the fine and court costs had it been filed in district court. The new law will allow the Department to collect \$90.00 for each offense rather the \$5.00 that was collected previously. The revenue collected from the new fines should provide a substantial boost to the Agency.

We were able to purchase 27 vehicles and 9 boats this year. The vehicles are Ford four-wheel drive extended cabs and four-door crew cab pickups.

#### **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:**

The Law Enforcement Division is now able to participate in several federal aid projects in the state that previously unavailable for our division. Wardens now participate in a Blue catfish fisheries survey collecting data during their routine patrols. Other federal aid projects include Hunter Education, Aquatic Education and the Archery in the Schools program. The federal aid revenue help eases some of our budget constraints.

#### **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:**

The division continues to cooperate with every state in efforts to combat fraudulent license applications and interstate wildlife violations.

#### **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:**

Wardens were trained in night driving techniques while using night vision equipment and infrared lights mounted on their vehicles.

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

Issues concerning trespass, wildlife depredation and feral swine were at the forefront of this year's legislative session. Several new laws were passed that stiffened penalties for trespassing and eased signage restrictions regarding hunting without permission. Feral swine continues to be a major problem in Oklahoma. The Feral Swine Act recently passed by the Legislature, considerably changes they way feral swine are transported and released in Oklahoma. The Act now makes it a felony to illegally transport and release feral swine in Oklahoma. The Oklahoma Department of Agriculture will be the principle agency in enforcing the new law.

The game wardens will now respond and be the initial contact with landowners involving depredation complaints involving wildlife. Wardens are now required to make a timely response in order to investigate wildlife damage in order to help resolve the conflict.

**COST SAVING INITIATIVES:**

Rising fuel costs continues to be a concern in Oklahoma. Wardens are encouraged to use time management and to work wisely while conducting their patrols.

**OTHER SPECIAL LAW ENFORCEMENT ISSUES:**

Enforcement of the illegal harvest and sale of paddlefish eggs for caviar continues to be an enforcement issue. Wardens maintain an increased enforcement emphasis during the annual spring spawn to help curtail the illegal activities associated with the caviar trade.

---

**AMFGLEO Law Enforcement Committee Saskatchewan Annual Report  
Submitted by  
Bill Zimmer, Manager, Specialized Enforcement Unit  
Saskatchewan Environment**

**Training Issues**

SE (SE) recently hired an outside consultant to conduct a review of the Compliance and Field Services Enforcement Training Program. The independent review was conducted by John Baker, who is a retired RCMP officer. John Baker also served as Director of Policing, Saskatchewan Justice and Executive Director of the Law Enforcement Branch, Saskatchewan Justice, Saskatchewan Police Commission.

The primary purpose of the review of the Field Services Training Program was to assess the effectiveness and efficiency of the training programs and recommend alternative approaches where the programs can be improved. The report submitted by Mr. Baker reviewed the circumstances leading to Conservation Officers being issued side-arms and the related policy and training developments. The review has found that the content of the SE policy and training standard is excellent and they meet, and in some instance exceed, the standards in place for the RCMP and the municipal police services in Saskatchewan. A number of recommendations were made for fine tuning the Compliance and Field Services training program to fill gaps and relieve the field trainers of some of their current training responsibilities to allow them to spend more time on field operations.

**Funding and Staffing Issues**

Saskatchewan continues to request necessary funding to increase the number of conservation officers to the level that was in place prior to the significant reduction that took place in 2004. There is a need to deploy more conservation officers in the northern remote field areas and to increase staff in some southern field areas that are currently staffed by only one officer. There are safety issues related officers working alone and where staff numbers are inadequate in remote locations.

The competition from other agencies including RCMP and municipal police forces are making it increasingly difficult to staff the required number of officers at the entry level seasonal officer positions. Seasonal officer responsibilities consist primarily of enforcement of park regulations throughout the network of provincial parks in Saskatchewan and many officers are able to acquire full time employment with other agencies prior to being hired as a permanent conservation officer in Sask.

SE has recently promoted 12 conservation officers as Compliance Area Specialists (CAS). There is one CAS assigned to each of the 12 compliance areas within Saskatchewan. The primary role of the CAS

will be to lead the enforcement program in their respective compliance area, coordinate special enforcement initiatives, liaison with Provincial Enforcement Specialists, mentor junior officers, as well as many other enforcement related duties.

Daryl Minter, SE's first canine officer, has retired from canine duties and has been assigned a CAS position in Prince Albert compliance area. SE is currently training another canine officer. Training will be completed on August 1, 2007, which will again result in two fully functional canine teams.

### **Major Conservation Law Enforcement Trends**

In the early 1990's, SE in co-operation with Saskatchewan First Nations entered into an agreement allowing the outfitting of Non-Canadian resident hunters on First Nation land. Generally, these lands are areas in which Non-Canadian resident hunting for big game is not allowed. The hunting was authorized for free ranging wildlife only on First Nation Reserve lands. The agreement allowed legitimate First Nation outfitters to issue First Nation hunting licences to facilitate the export of wildlife harvested to the United States.

In recent years some First Nation reserves have established game farms and have begun importing wildlife from Alberta to stock the game farms and facilitate game farm hunts by US residents. First Nations have taken the position that provincial laws do not apply on Federal land therefore have not applied for a game farms licence as is required under Sask. law.

Hunt farms are not allowed in the province of Alberta, therefore, some Alberta game farmers have entered into agreements with Saskatchewan First Nation to import wildlife to the unlicensed game farms located on First Nation lands, essentially to launder wildlife that could not be legally hunted in Alberta.

The unlicensed game farms result in no records being kept for wildlife imported to or exported from the game farms and Saskatchewan's disease protocol relating to import of live wildlife not being followed. Furthermore, hunting is occurring off of First Nation land and being purported as harvested on First Nation land with First Nation hunting licences unlawfully issued to facilitate the export of wildlife harvested.

SE, with the cooperation of Alberta Fish and Wildlife Officers, US Fish and Wildlife Service and US State Wardens from several different states have laid several charges primarily against Saskatchewan First Nation residents for violations related to the unlawful import of live wildlife into Saskatchewan and the unlawful export of wildlife taken on unlicensed game farms or free ranging wildlife harvested by Non-Canadian resident hunters off of First Nation land.

On another matter the strong economy in the province of Alberta related to the oil and gas industry has resulted in a very strong demand for recreational property in Saskatchewan as well as recreational opportunity related to hunting and fishing. A concerted enforcement effort will be required to ensure compliance of Saskatchewan's fish and wildlife laws as the demand for Saskatchewan's renewable resources increase, especially in northern remote areas.

### **Unique Cross Boundary or Cooperative Enforcement Efforts**

Discussions at the Canadian Chiefs of Law Enforcement annual meeting have been held regarding the implementation of a violator compact program. It has become very apparent that both resident and non-resident hunters have become very transient and are involved in unlawful activities in other Canadian provinces. The violator compact program would prohibit the purchase of Sask. resident licences when a Sask. resident is convicted of a wildlife offence in another province.

SE, in cooperation with Alberta Fish and Wildlife officers deployed staff to the Edmonton International Airport during the fall of 2006 to conduct compliance checks on US resident hunters returning to the United States. SE also has a very positive relationship with Canada Border Services (customs) who

assist on many occasions with investigations related to resource violations, and surveillance on individuals involved in unlawful activities entering and departing the province of Saskatchewan.

### **New Innovations in Conservation Law Enforcement**

As previously stated, SE has implemented 12 new Compliance Area Specialists positions in each of the 12 compliance areas to assist with delivery of the enforcement program. SE also has a dedicated Intelligence Officer and dedicated Enforcement Electronic Technician. These 2 positions have been invaluable in their role in leading intelligence lead policing and the deployment of electronic equipment when required for investigative purposes.

SE's 24 hour Turn-In-Poacher (TIP) program continues to be an invaluable service for person wishing to report resource or environmental violations. TIP is administered at the Provincial Enforcement Center in Prince Albert. The Enforcement Center also provides 24 hour conservation officer dispatch services, and stores a wide database of information relating to resource and environmental available to conservation officers when requested.

Currently a thorough review of the operating programs used at the Enforcement Center is being conducted by Information Technical Services (ITO). It is expected the review will result in the implementation of new modern equipment that will increase the capabilities and efficiency of the Enforcement Center.

### **State, Regional and National issues, Legislation, Legal Challenges and Court Decision Impacting Natural Resources Law Enforcement**

Métis hunting and fishing rights continue to be interpreted and clarified in Saskatchewan. A Supreme Court of Canada decision, R vs. Powley, granted hunting and fishing rights for Métis people who have an ancestral connection to a Métis community established in the late 1800's, in an area considered to be a reasonable geographical area in which people at the time would of exercised hunting and fishing rights. The ongoing challenge for both SE and the court system is to provide clarification to conservation officers regarding who Métis rights apply to and areas in which Metis hunting and fishing rights apply.

A court decision stemming from the province of British Columbia (BC) has ruled in favour of First Nation people, allowing the use of lights for hunting purposes. First Nations people within the province of BC are not part of the *Natural Resources Transfer Act* that apply to Treaty Indian people in the provinces of Manitoba, Saskatchewan and Alberta. Constitutional lawyers are interpreting this latest decision and what impact it may have on SE's ability to enforce night hunting laws against Treaty Indian people.

### **Other Special Enforcement Issues**

SE officers have seen an increase in the number of reports relating to unlawful outfitting, especially in northern Saskatchewan. An investigation concluded in 2006 resulted in charges being laid against an Alberta resident for unlawfully providing an outfitting service for anglers from his recreational cabin in northern Saskatchewan. Another fisheries investigation concluded in northern Saskatchewan resulted in charges being laid against an outfitter for exceeding his client quota on a lake under his outfitting licence. Trafficking of fish and wildlife continues to be a huge concern with several ongoing investigations still being concluded.

Landowner intolerance to big game depredation is resulting in a increase in deer being unlawfully destroyed and wasted when damage to haystacks or field crops are occurring. SE does have an adequate compensation and damage prevention program, however, there continues to be less tolerance by many landowners to any loss of agricultural products as a result of big game damage.

---

**AMFGLEO Law Enforcement Annual Report**  
**State Report – South Dakota**  
*By: Andy Alban*  
**Law Enforcement Program Administrator**  
**Division of Wildlife**  
**South Dakota Game, Fish and Parks**

This report covers the period July 1, 2006 through June 30, 2007 for the State of South Dakota, Department of Game, Fish and Parks – Division of Wildlife Conservation Law Enforcement Program.

**TRAINING ISSUES**

Field Training Program Update: Division of Wildlife staff continue to refine the Division's "Wildlife Officer Field Training Program", modeled after the 'Reno Model' of field training. To date, a total of eight conservation officer trainees have completed training using this new model and approach that utilizes problem-based learning and community-orientated policing concepts. Supervisors and Wildlife Training Officers (WTO's) alike feel the new model is much more effective in developing a wider diversity of skills in new recruits prior to their deployment to their first duty station.

Implementation of Landowner Information Packets

The Division completed the development of a "Landowner's Guide" to aid conservation officers in their efforts to increase landowner awareness of agency programs and services provided to agricultural producers. These packets of important information are normally presented to landowners during site visits by the local Conservation Officer. They serve as a conversation piece for "getting in the door" and establishing important relations with landowners and rural residents.

IMPACT Project

The Division also continues to pursue the cooperative development of an "Interpersonal Skills Training Program" for conservation officers by state wildlife agencies and is currently working to implement the "IMPACT Project" proposal developed by Randy Means of Thomas and Means, LLP. The project will involve multiple conservation law enforcement agencies (SD, AZ, WY, CO, CA, WA, MO, NM, FL, WI, IN, and PA) which have desire and commitment to lead in this vital area of professional development. Agencies from other states are welcomed to get involved.

This project recognizes the criticality in conservation law enforcement work of good human relations and interpersonal communication skills and the need to assure the presence of those skills in incumbent conservation law enforcement officers. To that end, the project will identify appropriate performance criteria and create an appropriate test for assessing those skills in a conservation law enforcement context. It will also create correlated remediation tools, including computer/video-based training, for use as necessary and/or desirable. Improvement of officer performance in this domain will strengthen community relations, increase investigative effectiveness, reduce complaints and lawsuits, reduce the need for force, and enhance officer and public safety.

Statewide Training Standards

Beginning July 1, 2006, new rules pertaining to continuing education and firearms re-qualification went into effect for every South Dakota state-certified law enforcement officer. Officers are now required to undergo annual firearms requalification to include completion of a certified shooting course with a passing score of at least 75%. Also enacted was a rule requiring each officer to take 40 hours of continuing education, every two years, to include completion of courses in program administration, police practices and procedures, legal aspects, human behavior and domestic violence. The Wildlife Division's existing training program easily satisfies the new requirements, but smaller LE agencies in the state are being forced to make changes so training becomes part of their work regimens.

## **FUNDING AND STAFFING ISSUES**

The Wildlife Division is staffed with 61 conservation officers with an overall complement of 79 sworn officers division-wide. The latter number accounts for supervisory and administrative staff.

We continue to experience considerable turnover within the conservation officer ranks, as it seems we can never keep up with vacancies. Currently, five conservation officer trainees are attending our State Law Enforcement Academy and, upon successful completion of the training program, will bring us back to full staff. It has been noted that the applicant pool has dwindled in numbers, but we have still been able to find some quality candidates.

The Division is still working on the development and implementation of a draft alternative organizational structure for the Field Operations Section which will create four additional conservation officer field supervisor positions from within the existing conservation officer ranks. In addition, a new 'assistant regional supervisor' position will provide direct supervision of the conservation officer field supervisors and lend administrative assistance to the regional supervisor. The proposed organizational structure will also modify the supervisory chain of command for the law enforcement program administrator, clarifying the supervisory responsibilities of this position.

## **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

An OHV Working Group was put in place this past year by Governor Rounds to review the issues associated with OHV use on US Forest Service lands in the Black Hills. The group has been discussing impacts to habitats and possible regulation needs in an attempt to preserve OHV use opportunities and protect important wildlife habitats in the Black Hills. It appears the group is headed in the direction of developing an OHV license requirement, using funds derived for enforcement, protection and trail development efforts. To date, the Division of Wildlife has had limited involvement and the Division of Parks and Recreation has taken the lead. An additional item of concern has been OHV use around the shorelines of state meandered lakes, especially those that are outlined by private cabins and homes.

Over the past year, issues with our residency laws have been brought to light. We intend on working on improving these and tightening down some of the residency requirements so they are not so vague and prone to different interpretations.

## **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS**

Our two wildlife investigators continue to work closely with the USFWS and other state wildlife law enforcement agencies to conduct covert hunts on a number of commercial hunting operations. Many significant cases were prosecuted during the past year, with some still being sorted out via plea agreements. Most of the cases involve the illegal take of game on commercial hunting operations and shooting preserves and involve both residents and nonresidents.

Division of Wildlife conservation officers and many other field staff, along with agency administrative staff, were involved in the emergency response efforts resulting from spring storms in early May, 2007. A major storm, which included several tornados, hit the eastern third of the state. Some areas received as much as nine inches of rain during one weekend. The State Emergency Operations Center was opened for over a week and agency staff played an important role in emergency response operations within the flooded city of Aberdeen and many rural areas along the James River valley in eastern South Dakota. Agency field staff were involved in door to door (via boat) welfare checks of flooded residents and others and provided transportation for many. Others completed reconnaissance missions, checking on river levels and road/bridge conditions along the flooded river valley.

## **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT**

The Division is in the process of acquiring two Centurion side-scan sonar units via Homeland Security grants. We intend these to be housed at two of the four Missouri River reservoirs in the state. They will

certainly be another tool that has the ability to function in different arenas, such as search and rescue operations.

Staff continue to make use of the Division's intelligence gathering system (CrimeNTel); however, field supervisors are finding some staff still are reluctant to enter information in a timely fashion. Additional discussion emphasizing the importance of the information system will be held at upcoming regional meetings. Implementation to a newer version, with more functions and capabilities, is forthcoming.

The Division is still in the planning stages of developing a case management system, working with the State Bureau of Information and Technology staff to develop system requirements. Due to a lack of staffing and conflicting projects, it is often difficult to gain access to BIT staff time to complete computer system requirements in a timely fashion.

The Division has contracted with the forensics lab at Black Hills State University, Spearfish, for DNA/forensics testing. We continue to learn the capabilities of the lab and their efforts have yielded two convictions in cases involving illegal wildlife crimes.

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

For the third year in a row, a bill was introduced in the State Legislature to repeal the "Open Fields Doctrine" specifically for conservation officers in South Dakota. As proposed, specific provisions were placed on the piece of Legislation that would have made our jobs and wildlife crime detection even tougher. Thankfully, a strong public outreach effort has made headway with the general public and legislators alike. We were able to kill this bill in committee this year and it did not reach the floor of either the House or Senate. We feel this is a direct result of our increased efforts to foster positive communication with our rural farm and ranch producers.

### **COST SAVING INITIATIVES**

Due to skyrocketing fuel prices, the state is making a push to purchase flex-fuel vehicles. These pickups are E-85 compatible and this move will result in a \$.04 per mile savings in vehicle mileage costs.

### **OTHER SPECIAL LAW ENFORCEMENT ISSUES**

Within the near future, several thousand acres of US Army Corps of Engineers property along the Missouri River will transfer from federal hands to the State of South Dakota to be managed by the Department of Game, Fish and Parks. Due to the abundance of cultural resource sites in this area, the Department has been working with various tribes, the US Army Corp of Engineers and the USFWS to develop an MOU outlining the roles and responsibilities of each agency in this effort to protect these important cultural resources. This endeavor continues to be a work in progress and our officers' authority may need to be expanded to deal with some of the unique issues that go along with these Missouri River lands.

---

## **AMFGLEO LAW ENFORCEMENT COMMITTEE STATE REPORT – Texas By: Colonel Peter Flores**

### **AGENCY OVERVIEW:**

Are officers 100% Wildlife Law Enforcement or Mixed?  
100% officers Wildlife Enforcement

Straight Line Reporting Structure: *Yes*  
Number of Officers: 493

### **TRAINING ISSUES:**

Texas is currently in a capital campaign drive to develop a first class training facility on 224 acres located in Hamilton County, Texas. The new facility will be self-contained, providing facilities for every aspect of cadet and in-service training. In addition to administrative offices, kitchen, cafeteria, and dormitories, the facility will have an enclosed swimming pool, firing range, emergency vehicle driving course, ATV course, and an area dedicated for physical training.

Texas Game Wardens will be completing legislative-mandated Crisis Intervention Training this fiscal year, which will better prepare officers in dealing with persons who have mental health issues. The changes in social policy over the past decade have resulted in more contact with persons having mental health issues in our day-to-day duties. Other mandated training includes legislative updates of changes in law resulting from the current legislative session.

Additional training issues for Texas Wardens include the adoption of the M-4 Bushmaster .223 new long rifle weapons system. A new system will require an intense training program in transitioning to the new system in addition to the proper use of an electronic sighting system. The introduction of the new long rifle weapons system is the first upgrade in the past 25 years and is much needed in meeting the demand of our continued role in homeland and border security.

### **FUNDING AND STAFFING ISSUES:**

The total appropriated budget for the Law Enforcement Division is \$51,233,146.00. This does not include federal funds. Texas Game Warden numbers are to be increased by 15 fully-funded officers for assignment along the Mexican border as part of the State of Texas Homeland Security efforts. Texas Game Wardens were also appropriated \$2 million in general revenue during the next biennium to cover general law enforcement and emergency management duties.

### **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

Partnership with our neighboring Mexican states has resulted in the training and graduation of two cadets from the State of Nuevo Leon, Mexico from our Academy to pioneer conservation law enforcement in Mexico. Other Mexican states are in the process of sending their cadets to our Academy to begin a game warden service in their states.

### **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS**

#### **Marine Enforcement**

Staff co-hosted the International Boating & Water Safety Summit in San Antonio, attended by 400 boating safety professionals. In 2006, there were 47 boating fatalities, an increase of 30% from 2005. Three officers attended the USCG Marine Patrol Officer Course as Texas develops Boat Tactics training for its officers. Special need for this type training is on the Mexican border waters, where Game Wardens routinely encounter a wide assortment of contraband, especially drugs, coming into the U.S. by boat. Increased U.S. Coast Guard funding was used to modernize and replace 30 patrol boats. We are also in the process of upgrading marine radios, and plan to purchase three SafeBoats for use in the coastal areas. Bills designed to improve the boater education requirements, implement sobriety checkpoints, and other safety issues were introduced this legislative session. Boating Safety Education and Enforcement initiatives targeting historically busy metropolitan lakes are planned for the summer boating season.

### **Fisheries Enforcement**

Texas Parks and Wildlife Department received \$440,000.00 for participation in the 2006-2007 Joint Enforcement Agreement. The purpose of the Joint Enforcement Agreement (JEA) among the U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries), Office for Law Enforcement (OLE), and the State of Texas Parks and Wildlife Department (TPWD) Law Enforcement Division (LE) is to increase compliance with the laws and regulations for federally managed fish caught in the Gulf of Mexico and returned to Texas.

TPWD/LE officers focused on three main areas to enhance federal enforcement. Commercial, recreational, and charter vessels fishing in the Gulf of Mexico and returning to Texas ports were monitored through the use of overt patrols. Inspections of Texas fish dealers and shippers buying, selling, and transporting fish caught in the Gulf of Mexico were increased. TPWD/LE officers worked to educate the public on federal fisheries conservation issues, fisheries laws and regulations, and reporting of fishing violations.

### **Wildlife and Fisheries Enforcement**

TPWD/LE is already discussing the agenda for the 81<sup>st</sup> Texas Regular Legislative Session, which begins in January 2009. One key legislative item of discussion may be the Wildlife Violator Compact.

## **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT**

Operation Game Thief (OGT) continues to seek innovative ways to support Texas Game Wardens in their enforcement efforts. Since requested legislative authority for more latitude in expenditure of OGT funds (all privately raised) was awarded last session, OGT has developed guidelines under which grants are awarded based on written requests from the ten law enforcement regions.

Grants totaling over \$150,000 have now been awarded for the purchase of advanced night-vision equipment, side-scan sonar devices, and other advanced technology equipment for which normal budgetary funds were unavailable. The latter includes certain advanced testing equipment that allowed the agency forensics lab to meet accreditation requirements—the first state wildlife agency to do so.

OGT is also now entering in to a major public awareness campaign that includes the funding of \$60,000 in billboards, half of which is being contributed by outside organizations, and the placement of 200 roadside "stop poaching" signs through a cooperative agreement with the Texas Department of Transportation.

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

The 80<sup>th</sup> Texas Legislature adjourned on May 28, 2007. A number of issues affecting Texas Game Wardens have passed both houses and are awaiting the governor's signature.

- Established a physical fitness standard as a requirement for employment for Schedule C employees
- \$300 cap was removed for hazardous duty pay (payment based on the number of years of service x \$10.00 (e.g., 35 years x \$10= \$350/ month)
- Renaming of the Peach Point Wildlife Management Area to the Justin Hurst Wildlife Management Area (Officer Hurst killed in the line of duty)
- Prohibiting any road hunting (capture, trap, take or kill), including the capture of reptiles and amphibians
- Fishing license and saltwater fishing stamp requirement for saltwater fishing, if fish or other aquatic product are taken for sporting purposes from waters managed by the Gulf of Mexico Fishery Management Council

- Established a nonindigenous poisonous snake/constrictor permit for recreation or commercial use
- Established a permit for commercial party boats on public water
- Legalized the use of a laser sighting device for legally blind hunters
- Members of the Kickapoo Traditional Tribe of Texas may hunt antlerless white-tailed deer year-round
- Scientific Deer Breeder statute modified by changing name to “Deer Breeder” and a number of section changes for clarification
- Significant pay raise for Schedule C employees (game wardens, troopers, alcohol agents and certain department of correction employees)

### **SCHEDULE C CLASSIFICATION SALARY SCHEDULE**

**For the Fiscal Years Beginning September 1, 2007 and September 1, 2008  
Salary Rates**

<b>C</b>	<b>Position</b>	<b>Less than <u>vrs</u></b>	<b><u>4+ vrs</u></b>	<b><u>8+ vrs</u></b>	<b><u>12+vrs</u></b>	<b><u>16+ vrs</u></b>	<b><u>20+ vrs</u></b>
C1	Cadet	\$34,965					
C2	Probation	\$38,199					
C3	Warden	\$45,100	\$48,908	\$52,666	\$55,112	\$57,733	\$57,733
C4	Sergeant		\$55,616	\$59,374	\$61,664	\$64,285	\$64,285
C5	Lieutenant		\$62,292	\$66,082	\$68,216	\$70,837	\$70,837
C6	Captain		\$69,035	\$72,790	\$74,768	\$77,389	\$77,389
C7	Asst. Chief		\$81,554	\$81,757	\$81,757	\$81,757	\$81,757
C8	Major		\$86,026	\$86,125	\$86,125	\$86,125	\$86,125

The Texas Parks and Wildlife Commission has adopted a number of regulatory changes over the past year.

- Created a white list of nongame animals that may be captured for commercial use. Prohibited the use of turtle traps in public water and the take of all wild turtles, except red-eared sliders, soft shell turtles and the common snapping turtle may be taken from private water only
- Prohibited the take or possession of diamondback terrapin or their eggs
- Created a spring alligator hunting season for 232 counties
- Importation of white-tailed deer and mule deer continues to be prohibited in Texas

### **COST SAVING INITIATIVES**

Law Enforcement Division has implemented a synthetic oil program and a new fleet gas card contract, both of which will save us a significant amount of budget in the long run.

### **OTHER SPECIAL LAW ENFORCEMENT ISSUES**

The Law Enforcement Division Forensic Lab received accreditation from the American Society of Crime Lab Directors (ASCLD/LAB) in the Biology discipline. This lab performs certain DNA analysis, fatty-acid profiling for wild versus farm-raised fish species, gender and species identification. The accreditation was received under the Legacy Program of ASCLD. Within the next five years, the Forensic Lab will have to work toward accreditation under International Standards as the Legacy Program will be phased out.

Texas Wardens still have a number of investigations concerning the unlawful importation of white-tailed deer. The Special Investigations Unit has undergone training programs in the use of tracking devices and specialized electronics to assist in investigations of this type.

### **CIVIL RESTITUTION**

Efforts to collect civil restitution assessed from September 2006 to present have netted just under \$300,000.00. The total amount assessed for this time period was \$576,044.37.

This amount represents the value of illegally taken or possessed wildlife and aquatic resources. Funds received through the civil restitution program are deposited into the fish, game and water safety account. This account funds game wardens' salaries, as well as programs such as our fish hatcheries and wildlife management areas.

---

**AMFGLEO Law Enforcement Committee  
State Report -- Wisconsin  
By: Randy Stark  
Chief Warden  
Bureau of Law Enforcement  
Wisconsin Department of Natural Resources**

### **Training Issues**

#### **Recruitment**

In the fall of 2006 we filled our vacant Assistant Training Director position which is the lead recruiting position for our Bureau. Brian Ezman, formerly one of our Environmental Wardens, took the promotion into this position. His efforts in the past half year have primarily focused on increasing the scope of our recruitment efforts, developing a formal recruitment plan and diversity outreach initiatives. His efforts have taken him on recruiting trips to colleges and universities throughout Wisconsin and the upper Midwest and meetings with minority groups.

#### **Hiring**

We've been able to hire recruit warden classes in 2005, 2006 and 2007. The hiring process for the 2008 class has begun. Starting in 2005 we developed and implemented an online application and civil service exam process that evaluates an applicant's education and work experience. In addition, we no longer require previous law enforcement training to apply for a recruit position. Using the online application system coupled with removal of the law enforcement certification requirement has increased our average number of applicants from approximately 275 to more than 800 for each of the past 2 years.

#### **Academy**

Our department in 2006 became a state certified academy in order to conduct basic law enforcement training. All of our recruits meet the 520 hour basic training standard in addition to our specialized recruit warden training at the academy and throughout the first year and a half of employment. The weeks of our academy training, both basic law enforcement and warden academy are spread out through the calendar year and end with the recruit graduation in early August. Our specialized weeks of training include marine, hunting, waterfowl, furbearer, environmental, ATV and snowmobile enforcement and agricultural awareness. We schedule 4 field training assignments that begin in April and culminate with the final 2 week Certified Solo portion of the field training occurring in November during the deer gun hunting season.

### **In-service Training**

Wisconsin Wardens need to meet the state mandated 24 hour minimum hours of annual training to maintain their law enforcement certification. Three days of annual re-certification training are held at Ft. McCoy in January and February. Topics include firearms, defensive tactics, pursuit driving, legal update and warden skills training. In addition extra hours of in-service training are provided during bi-annual regional meetings and individual team meetings.

### **Career Development**

Specialized and career development requests are included as part of each employee's annual performance review. We have career development program instituted through policy. To the extent budgets and time allow we take advantage of specialized training opportunities for advanced skill development, tactical programs, leadership, supervision and executive development. In 2007 Tom Krsnich, our Environmental Enforcement team supervisor, will be attending the FBI's National Academy in Quantico, VA. Chief Warden Randy Stark attended the National Conservation Leadership Institute at the National Conservation Training Center in West Virginia.

### **Training initiatives**

In 2006 we purchased Springfield M1A rifles for our conservation wardens. During the year the firearms were purchased and outfitted, armorers and instructors were selected and trained. By the gun deer season in November all of our wardens had attended and passed our basic rifle course. Ongoing and advanced training in the use of these firearms is planned for 2007 and beyond. A specialized 4 day supervisory leadership training session was held earlier this year for all supervisors, administrators, managers and interested field staff. Topics for this session included adaptive leadership, emotional intelligence, performance management and labor relations. During 2006 and into 2007 we continued our initiative towards meeting state, national and department goals for planning and training in the areas of Incident Command System, Homeland Security and advanced incident management. We've developed Regional Response Teams, purchased and outfitted our Field Operations Support Unit [FOSU] trailer and initiated specialized training. Brian Ezman [Assistant Training Director], David Woodbury [Emergency Management Officer] and Kristin Turner [Program Assistant] played significant roles in implementing this program and providing the training.

### **Funding and Staffing Issues**

#### **Funding Issues**

Operationally and salary-wise, the Bureau came into the second year of the biennium knowing a deficit was looming. The first half of the biennium allowed for some planning to deal with the fiscal shortfall, but the gaping hole in year two was inescapable. The deficit was caused by the legislative in which they eliminated salary from five regional warden positions. The end result will cause the Department to provide the fiscal support necessary to make the Bureau whole.

On average during FY07, the Bureau provided approximately \$9400 for each warden station. In total 6.5 million in state dollars was used to operate the Bureau of Law Enforcement.

Almost \$13.5 million of state dollars was used for salary\* and overtime\* to pay full time staff, an additional \$390,000 was made available to employ part time, seasonal or as they are termed in Wisconsin, Limited Term Employees (LTE).

\*Does not include fringe

Another \$2.51 in Federal - PR funding for Hunter Education and USCG funding was allocated for use.

The Bureau's total budget was \$26.39 million, which includes salary, operations, fringe overtime and LTE salary.

### **Staffing Issues**

At the time of this report, Bureau of Law Enforcement maintained 195 credentialed staff consisting of;

- 1- Chief
- 3- Section Chiefs
- 5- Regional Wardens
- 23- Warden Supervisors
- 7- Administrative Wardens (consisting of one administrator each in the following disciplines - Special Investigations, Boating Law, Hunter Education, Snowmobile-ATV, Tactical, Recruitment and Legislative-Policy)
- 4- Environmental Wardens
- 4- Special Investigators
- 7- Recreational Safety Wardens
- 133- Field Wardens
- 8- Recruit Wardens

The Bureau of Law Enforcement was staffed with 27 non-credentialed employees consisting of;

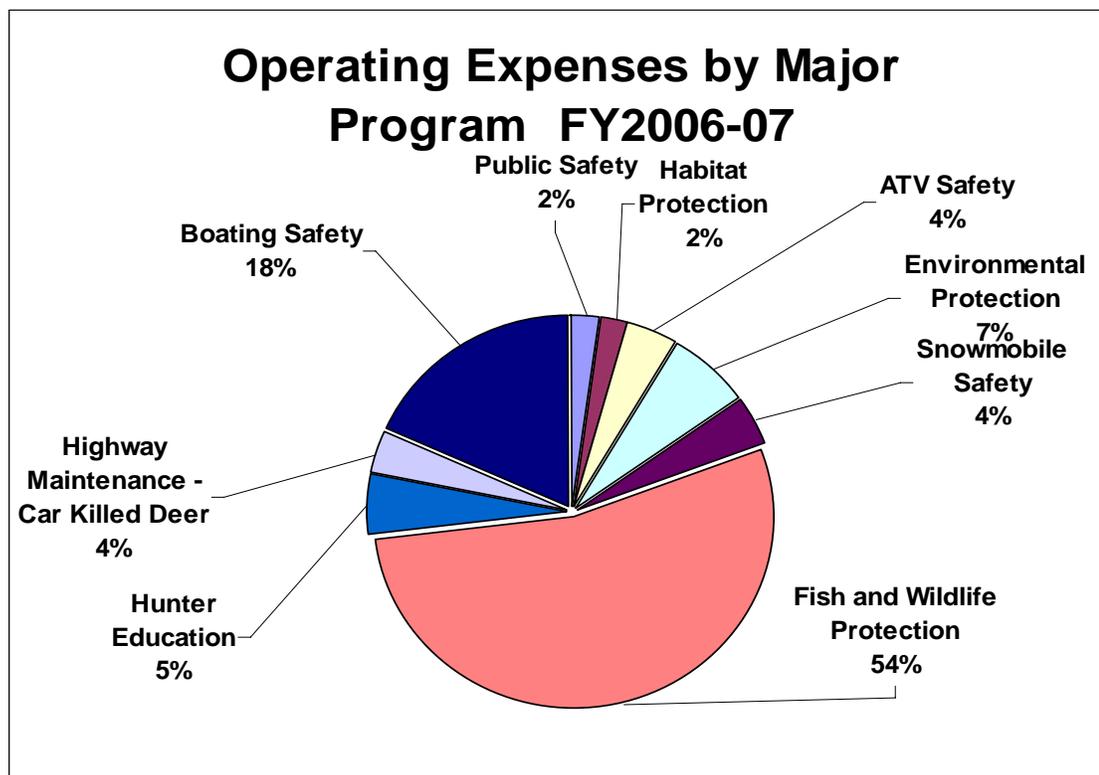
- 1- Section Chief
- 14- Environmental Enforcement Specialists
- 2- IT Staff (Computer Experts)
- 1- Web Master
- 1- Natural Resources Program Specialist (Boating)
- 1- Natural Resources Staff Specialist (Homeland Security/Grants/ICS)
- 7- Office Operations Associates (Program Assistants)

**Note:** Several of the non-credentialed positions are 0.5 FTE (Full Time Employment). All total, there are 222 live bodies employed by the Bureau.

As of this report we have 22 vacant warden positions including 14 field slots and 8 advanced, supervisory or management positions. Recruiting enough quality candidates continues to be an issue as does losing veteran wardens to retirement. Both of these issues contribute to the steadfast vacancy rate the Bureau has been forced to contend with since 2002. We are slowly gaining ground over the thirty vacancies from 2003-04. Our current class of 8 recruit wardens will be in training through the end of the year and can expect assignment to their initial stations in January, 2008. Mixing the current vacancies with the recruit class and factoring in anticipated retirements we will probably have about 17 vacant positions by the end of the year. However, that number could be larger. We're hoping to hire a class of 12-14 recruits and begin their training next January.

### **Operating Expenses**

Over 90% of the total law enforcement budget is devoted to supporting field operations enabling conservation wardens and enforcement specialists to do their job. Law Enforcement's budgeting and work planning processes are designed to ensure fidelity to our funding sources. These funds pay for their salaries, vehicle operations and associated patrol and travel expenses, and fixed costs including dispatch services, radio maintenance, information technology costs, training, boat, snowmobile and all-terrain vehicle operational costs. The remaining portion is spent on the centralized costs of the statewide Hunter Education program that trains 30,000-plus new students each year; Snowmobile, ATV and Boating Safety programs that train an additional 20,000-plus students each year; the recruitment and training of new wardens; the Natural Resources Hotline; and the central office administration (the chief and staff).



#### Major Conservation Law Enforcement Trends

##### **Project Brother**

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.

Blue River Outfitters sold guided trophy white-tailed deer and turkey hunts in southwestern Wisconsin, to out-of-state hunters. The clients and owners of Blue River Outfitters violated numerous state and federal laws. The 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.

##### **Chronic Wasting Disease Deer Farm Compliance**

During the last year the Department was involved in a statewide deer farm compliance effort. This effort was an attempt to gain compliance with the deer farmers' minimum fencing requirements, record keeping and CWD testing requirements. Over 100 reports were generated to document this effort. There were many farms that had some aspect of their deer farming operation that was not in compliance with the current regulatory framework. Four farmers were cited during this effort.

### **Viral Hemorrhagic Septicemia (VHS)**

Viral Hemorrhagic Septicemia virus was diagnosed for the first time ever in the Great Lakes as the cause of huge fish kills in Lake Huron, Lake St Clair, Lake Erie, Lake Ontario and the St Lawrence River in 2005 and 2006. Thousands of muskies, walleye, lake whitefish, freshwater drum (sheepshead), yellow perch, gizzard shad, redhorse and round gobies died. Many Chinook, white bass, emerald shiners, smallmouth bass, bluegill, black crappie, burbot and northern pike were diseased but did not die in large numbers. This is the first time a virus has affected so many different fish species from so many fish families in the Great Lakes. VHS virus is considered an invasive species (not native to the Great Lakes), but scientists are not sure how the virus arrived. It may have come in with migrating fish from the Atlantic Coast, or may have hitch-hiked in ballast water from ships.

In April 2007 the Natural Resource Board enacted an Emergency Order and created emergency rules that covered the movement of live fish in Wisconsin. Plans are currently being developed by the Bureau of Law Enforcement to enforce these emergency rules.

### **Learn to Hunt Grant**

In 2006 the Wisconsin Conservation Warden Service was awarded a grant from the National Safe Shooting Sports Foundation to assist the department with promoting the Learn to Hunt Program. The goal of the grant and warden service was to increase the quantity and quality of the first time outdoor experiences for Novice Hunters. Through media and public relations we increased the number of Learn to Hunt Events by 20 for the fall and spring of 2006-2007.

### **Invasives**

During 2007 the Bureau emphasized Invasive Species awareness. A major push over the July 4<sup>th</sup> weekend had wardens educating the public about invasive species (Eurasian milfoil) on the water and at boat landings. The initiative was highly successful and the results of which are being used as a major component in the 08-09 budget building process to secure LTE deputy warden funding to continue this effort in the future.

### **Unique Cross Boundary or Cooperative, Enforcement Efforts**

#### **Interagency, interstate & cross jurisdictional enforcement efforts taking place in Wisconsin:**

- Participation on 5 different port security committees on Lake Michigan, Lake Superior and the Mississippi River with numerous federal and state agencies
- Home Rule MOA with Environmental Protection Agency on enforcement
- Work on the National "Marine Safety and Security Act of 2007" for Homeland Security nationally
- Joint LE MOU with Minnesota DNR
- Working on joint LE MOU with Iowa DNR
- CWD efforts and sharing of LE information with other states
- Participate on the Wisconsin Emergency Support Team with other state agencies
- Participate on the State Homeland Security Council with numerous other state and federal agencies
- US Corp of Engineers MOU on enforcement use of COE facilities
- MOU with Forestry on enforcement
- State Response Plan (Emergency Support Functions) participation
- Part of the Regional Response Team
- District 8 USCG enforcement MOU
- Recreational Enforcement agreement with District 9 USCG
- Passed legislation on WI violator compact

#### **Interstate/Interagency**

We are currently engaged with our Federal counterparts from the US EPA-Criminal Investigations Division in several interstate investigations that we hope will lead to successful prosecutions in Federal and State courts. In the recent past we have also worked on several investigations involving waste

transporters who routinely cross state lines to engage in illegal activities. Our relationships with our boundary states and the EPA are critical to this work and to the successful monitoring of regulated businesses.

Conservation Wardens Mike Kitt and Mike Neal assisted with a Port Security detail in Marinette County involving the launching of the new prototype littoral combat ship (LCS) for the U.S. Navy. The launch was a coordinated effort between the U.S. Navy, U.S. Coast Guard, Wisconsin and Michigan DNR's, Marinette, Wisconsin and Menominee, Michigan County Sheriff's, and local police, as well as the FBI. Up to 60 vessels will be built. Eventually the Navy will take over security of these vessels when they take ownership, but for now local law enforcement and DNR provide vessel security under homeland security agreements.

### **Problem Solving Style of Management**

Every day presents a new opportunity to build partnerships and solve problems on a statewide or local basis. We encourage our people to identify problems in concert with the local community and build the necessary partnerships to solve local problems. Our system of annual work planning enables this to occur. Work planning is an excellent communications tool for the warden supervisor and field warden to reflect on the needs of the station, discuss ways to "work smarter", establish priorities in that station, change work patterns to redirect effort, and to incorporate local, regional and statewide objectives into station work plans. Our planning system importantly reflects our budget constraints so our work efforts are consistent with our funding sources.

### **New Innovations in Conservation Law Enforcement**

#### **Survive the Ride**

In 2006, the DNR launched a Strategic Initiative called "Survive the Ride" that establishes a goal of reducing fatalities and injuries associated with motorized recreational vehicles by 5% of accidents per 100,000 registered vehicles by 2009. To address this goal, wardens and municipal safety patrols have increased educational outreach and stepped up high visibility patrols.

#### **Night-time Speed Limit**

In 2006, a 55 mile per hour (mph) nighttime speed limit was enacted for a period of one year. It is hoped that the new nighttime speed limit will result in a decrease in the number of snowmobile fatalities suffered. Nighttime speeds above 55 mph greatly reduce a snowmobile operator's ability to stop in time to avoid colliding with a hazard once headlights illuminate it. During the 2005-2006 snowmobile season, 67% of the fatal accidents occurred at night and 78% were speed related. Conservation wardens and County Sheriff Patrols have been asked to concentrate much of their enforcement and education effort during the 2006-2007 season on the nighttime speed limit. The department will evaluate the impact of the nighttime speed limit and will continue to pursue a permanent nighttime speed limit.

#### **Technology and Equipment**

In order to be ready to respond, wardens acquired the necessary technology and equipment that meet communications interoperability standards. In 2006, we:

- Equipped wardens with radio technology that enables wardens to communicate with local governments that use either analog or digital radio equipment.
- Equipped wardens with enhanced Mobile Data Communications.
- Took delivery of seven new federally-funded patrol boats which replace older non-serviceable patrol boats. These boats will increase the effectiveness of the Department to respond to boating enforcement, homeland security, and search and rescue calls on Lake Michigan and Lake Superior.

### **Field Operations Support Unit – Emergency Response Trailer**

The Warden Service implemented a Field Operations Support Unit program during 2006. The purpose of the support unit is to provide specialized emergency response and support not only to the wardens working in the field, but also to other agencies throughout Wisconsin.

The Field Operations Support Unit is a 30-foot, self-sustained trailer that includes its own power source, interior climate control, radio and MDC communication system, portable shelters, cots, quartz halogen flood lamps and other equipment needed to sustain a deployment.

The implementation of the Field Operations Support Unit is an integral part of the warden force's tool box to serve the public of Wisconsin. The unit is also available to be used by other programs and agencies for emergency preparedness activities and disaster response.

### **Internet & Aircards**

During 2007 the Bureau played a major role in the department's ability to secure home Internet access for wardens and other personnel; previously only dial-up existed. This initiative was instrumental in reducing time spent on lengthy dial-up downloads, frustrations due to corrupted file transfers and in the end it improved efficiencies and led to the next technology step; adapting Wireless technology for wardens.

Wireless technology has been in existence for some time, but only useable for enforcement purposes at WDNR during the last 6 months. Currently, the Bureau is phasing aircards into use in certain areas not accessible to the home Internet option. So far, wardens have found the aircards to be extremely beneficial and time efficient.

State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement - describe issues which impact or challenge law enforcement authority.

In 2006, a Wisconsin Circuit Court ruled that disciplinary records associated with the administration of discipline of a public employee (in this case, one of our wardens) are subject to disclosure to the public under the WI Open Records Law. The State and the Union appealed to the Wisconsin Court of Appeals. The Appeals Court ruling sustained the Circuit Court. The State and the Union appealed to the Wisconsin Supreme Court. The Supreme Court refused to hear the case.

As a result, all records of a closed disciplinary case are subject to disclosure under Wisconsin Open Records Laws. This has resulted in a review of our records handling and records retention policies and procedures in an effort to balance our public trust obligation to discipline employees when required on one hand and ensuring our employees are not unfairly portrayed in the media on the other. The cases are Kroeplin v. Wis. DNR (#2005CV660) and The Lakeland Times v. DNR (#2005CV1891)

### **Cost Savings Initiatives**

#### **Development of an Integrated Call Center**

On April 16, 2007 the Bureaus of Law Enforcement and Customer Service & Licensing began combining resources to create an integrated Call Center.

The Bureau of Law Enforcement operated a Violation Hotline, typically staffed by one person, for the receipt and dispatching of calls notifying the Department of potential violations of environmental, fish & game and recreational vehicle laws as well as notifications of hazardous substance spills or other emergencies that required a Department response to protect health, safety or the environment. The Hotline operated from 6:00 am to 10:00 pm, 7 days per week.

The Bureau of Customer Service & Licensing operated a call center from 7:45 am to 4:30 pm, 5 days per week which answered questions from the public about fish, game and recreational vehicle regulations. They also process boat, snowmobile and ATV registrations and manage numerous permitting and licensing functions. Some of the staff are bilingual, speaking Spanish or Hmong.

Following a training and testing period, the new Call Center will be open for "one stop shopping" from 7:00 am to 10:00 pm, 7 days per week. By combining resources and operating during more convenient hours, we expect to significantly enhance public service and satisfaction. We also expect that over time, Department Conservation Wardens and other field staff will receive fewer questions directed to their homes or offices, allowing them more time to focus on their specific work activities.

### **Other Special Law Enforcement Issues**

#### **Exotic Species**

The introduction and spread of exotic and invasive species are significant threats to our fish and wildlife and the ecosystem that supports them. Consequently, wardens are making this work a high priority. Current law makes it illegal to launch or use a boat or trailer in state waters if aquatic plants are attached. To the extent our limited funding allowed, conservation wardens have attempted to enforce these regulations and educate boaters. These efforts were funded through a small water resources appropriation.

#### **Boat Ambassador Program**

The warden service has piloted a "boat ambassador" program in the southeastern counties of the state. Boat ambassadors have three goals. The first is to raise public awareness of the problem of invasive species. The second is to educate the public on boating safety issues, and the third is to find violations of the regulations that prohibit placing a boat, trailer or equipment in navigable waters with attached aquatic plants or zebra mussels. We envision an expanded program to change the behavior of the boater – that they will become more aware of the problem and voluntarily apply remedies suggested by the ambassadors that will curb the spread of invasive species into other water bodies.

#### **Baiting and Feeding**

Feeding and baiting of deer continues to be a concern in regards to the spread of both Chronic Wasting Disease (CWD) and Bovine Tuberculosis in this state. During the 2006 deer season, illegal feeding and baiting violations were the most prevalent type of citation issued by wardens.

---