



2009

Annual Agency Reports

Association of Midwest Fish and Game Law Enforcement Officers

2009 Annual Agency Reports

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Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
State/Province: Colorado Division of Wildlife
Submitted by: Bob Thompson, Assistant Chief of Law Enforcement
Date: 6/16/2009

- **Training Issues** – Due to the economic situation Colorado did not have a training class for new Colorado Wildlife Officers this year. It appears that several officers have put off their retirement plans until they can get a better assessment of the economic situation which left five of the recruit officers from last year’s class without an assigned district. These officers are working on assigned tasks around the state until a district comes open.
- **Funding and Staffing Issues** – As with many states the economy has struck state budgets hard. The CDOW fended off suggestions to use license revenues to help offset state deficits. Spending and vacancies were frozen throughout most of the current fiscal year and four furlough days are scheduled for the coming fiscal year for all employees.
- **Major Conservation Law Enforcement Trends** – None to Report
- **Unique Cross Boundary or Cooperative, Enforcement Efforts** – Colorado currently has Memorandum of Understanding’s for cooperative law enforcement efforts between Colorado and eight other natural resource agencies plus two operations specific MOU’s with another state and Canadian province. The objectives of these MOU’s are to cooperatively identify, apprehend, prosecute, and convict persons in the unlawful taking, possessing, transporting, and/or selling of wildlife. As an example, last year, Virginia identified some poachers from their home state and they were able to install a GSP tracker on the vehicle. Through contact, surveillance and use of the GPS tracker it was learned that these poachers were coming to Colorado to hunt elk last archery season. A cooperative MOU was established and Colorado was able to get a warrant to cover Virginia’s GPS tracker once the suspects entered Colorado and Virginia sent two of their officers to help in the investigation. The suspects were arrested attempting to leave Colorado at midnight and several felony and misdemeanor charges were filed against the suspects.
- **New Innovations in Conservation Law Enforcement** – Not a new innovation but Colorado has two Criminal Investigators trained in Computer/Cell Phone forensics and the CDOW has the hardware and software to handle computers/cell phones analysis on seized equipment. In addition to the workload that Colorado officers place on these services, CDOW has assisted the United States Fish and Wildlife Service, Montana, and Wyoming on some of their computer forensics needs in cooperative cases that were worked with these agencies.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** – None to Report
- **Cost Savings Initiatives** – None to Report
- **Other Special Law Enforcement Issues** – None to Report

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AMFGLEO Annual Report
Illinois
Rafael Gutierrez
Director of Law Enforcement
June 11, 2009

Training Issues:

Illinois is currently seeking a Community Oriented Policing Service Hiring Recovery Program (CHRP) grant for 20 new Conservation Police Officers. The approved headcount for the Office of Law Enforcement (OLE) is 175 sworn. The current headcount is 146 and we project 15 officers will retire over the next year making the hiring of a recruit class critical. Newly hired officers receive 18-24 months of training before being released on solo patrol.

The OLE training section requested and was granted permission to conduct the Conservation Police Officer Trainee entrance exam prior to the official hiring process. In doing so, the OLE reduced the hiring time line by up to 3 months by testing and establishing a pool of qualified applicants to draw from when the approval for hiring is given.

The OLE training section has decentralized the firearms program and concluded the 2009 spring firearms training. This new program has allowed each Region and District to be more flexible eliminating scheduling conflicts and overtime concerns. The transition went smoothly during the spring session and all personnel were qualified. A retired officer weapons qualification was also held by firearms staff. The firearms program is continuing to train instructors. Three more basic firearms instructors were added due to voids with specific regions. There were also three more instructors cross trained as rifle instructors. We are continuing to train instructors as handgun and rifle armorers.

The OLE training section continues the training of defense tactics (DT) instructors while researching new and improved training methods. The DT program is implemented quarterly on a region or district level allowing more flexibility for scheduling. The OLE completed the first quarter DT session training all sworn staff. The OLE training section continues to provide an annual 32 hour "mini academy" to outside law enforcement agencies. The training consists of lectures, classroom discussion, power-point/video presentations and field practical application. The training has enhanced working relationships with outside agencies and joint enforcement details have been conducted.

The OLE training section provided Color Guard funeral services for an active officer and 7 retired officers in the past year. The Color Guard has received many compliments and gratitude from the families of the deceased.

The OLE training section is continuing efforts to provide snowmobile and ATV training for officers who have not participated in the program. This training has resulted in more enforcement efforts utilizing these vehicles and targeting specific violations such as operating under the influence and trespassing. In addition, the training provides officers the skills necessary for the safe operation.

The OLE is continuing to issue and train officers in the use of the Hummingbird side-scan sonar. These units have proven invaluable in the recovery of drowned

victims and submerged items. Officers have become efficient in the use of these items and often requested to assist other agencies.

The OLE training section along with assistance from region commanders has developed a comprehensive training program for new supervisors. Topics include; OLE mission, leadership skills, chain of command, policy and procedures, mandatory paperwork and reporting, computer programs, human resources and labor relations. In addition, commanders and executive staff will receive training on budgeting, critical incidents, officer evaluations, staffing and scheduling.

Funding and Staffing Issues:

The budget crisis for the State of Illinois continues. Illinois remains under a hiring freeze with the ability to hire only with special permission from the Governor's office.

Funding for the Office of Law Enforcement continues to remain a concern. While most operational lines appear to be sufficient to meet the needs of the OLE for FY09, the office does project deficits in operation of automotive and telecommunications lines. These deficits are the direct result of the increased rate and cost of repairs for an aging vehicle fleet and the continued high price of gasoline. In addition, monthly Starcom service fees are incurred from the Illinois State Police for use of the new radio system.

The OLE currently finds itself in a period where many of its senior officers are beginning to retire. The office experienced the loss of 5 officers in FY09, and in FY10, as many as 15 officers will be eligible to retire. To counter the loss of these officers, the OLE is seeking grants to fully fund a class of 20 recruits in FY10. If funded, this class would begin their academy training in the winter of 2009 – 2010 and would be in the field by the summer or fall of 2010.

Major Conservation Law Enforcement Trends:

The OLE implemented a randomly selected program for inspection of our commercial license holders several years ago. New to this effort is a tie-in with our Division of Fisheries' attempts to monitor the possession of VHS-species within the state. Additional random inspections of fish markets, aquaculture facilities and commercial fishermen were assigned to field personnel, as well as surveys to be completed by the businesses. This cooperative effort with our Division of Fisheries is expected to continue on for the next few years, with enforcement becoming an increasingly important component of the effort as time goes on.

The OLE will be participating with the Division of Wildlife and a focus group of deer and wild turkey outfitters to develop a survey for the industry as a whole in Illinois. The survey will be designed to determine issues and concerns of industry members, as well as any seeking information on any issues or concerns of interest to the Department of Natural Resources. The primary objective of this is to

determine whether any changes should be made to regulations regarding outfitting in Illinois, which first went into effect in 2001.

Unique Cross-Boundary or Cooperative Enforcement Efforts:

With the implementation of our Point of Sale (POS) system, the OLE now can more easily identify possible cases of license/permit application fraud. As violators attempt to obtain licenses/permits at the cheaper resident rates, we continue to work with other states to coordinate residency investigations.

New Innovations in Conservation Law Enforcement:

The OLE has dedicated efforts to computerize many of our administrative functions. Over the past year our efforts have been focused on:

- Ordering mobile data computers for our field officers. Issuance of these computers should field staff should be completed in July.
- Loading policies, forms and announcements onto a password secured web-site utilizing Share Point to eliminate copying and mailing.
- Continuing to add information into our Point of Sale program on license/permit sales, harvest records, etc. as well as suspensions imposed by Illinois and other members of the Interstate Wildlife Violator Compact.
- Requiring Officers to be certification in LEADS (less than full access) so they may run violator names and license plates through the Illinois State Police database rather than radio in through dispatchers for information.
- Providing officers access to the Illinois Secretary of State imaging program so that they may receive digital driver's license photos on line to aid in enforcement efforts.
- Continuing to work with the Administrative Office of the Illinois Courts to obtain automated disposition reports. This project should be completed in late 2009-2010.
- Working with the Office of the Courts and the Illinois State Police on developing a conservation e-ticket, so that officers can file tickets with the county circuit clerks and our agency electronically. This project should be completed in 2011.

Legislation, Legal Challenges and Court Decisions:

- No items of legislative interest to the Office of Law Enforcement have been enacted since our last report.
- Two civil suits were resolved in favor of the Department of Natural Resources in 2007. These cases were not included in our previous report:
 - The Department's inspection authority was challenged by one of the taxidermist associations within the state. The taxidermy association claimed that IDNR's inspections constituted unlawful, warrantless searches. The Department argued that inspections were constitutional because 1) taxidermy is a highly regulated business; 2) the state has a substantial interest in regulating the industry, 3) warrantless searches are necessary to the regulatory scheme, and 4) the Office of Law Enforcement's random commercial inspection program provides a constitutionally adequate substitute to a warrant. The court found in favor of the Department, granting summary judgment in the case.
 - A subject contested his suspension from engaging in hunting, imposed by the Department under the point system. The court found that the point system procedures outlined by Administrative Rule were both logical and properly followed by the Department in this instance, and the case was dismissed.

Cost Savings Initiatives:

- Due to the OLE's budget constraints, the division has become more aggressive in seeking out grants and other funding to supplement our budget. We have been rather successful in obtaining Homeland Security and Department of Transportation grants that have allowed us to purchase equipment and pay for overtime.
- We continue to educate our officers on the JJ Wolf fund and the Conservation Foundation Fund, two special IDNR funds where the public can make donations or where our courts can assign restitution through plea agreements for violations committed.
- In FY09 (July 2008 – June 2009), the OLE received an "Alcohol Countermeasures" grant, paid with federal NHTSA funds, from the Illinois Department of Transportation. We received a total of \$300,300 (\$221,100 to pay overtime to officers working details, and \$79,200 for equipment

purchases). In FY10, IDOT has submitted the IDNR OLE for almost \$560,000 for personal services, overtime and enforcement equipment.

- With these funds, officers will monitor motor vehicles in select IDNR sites for traffic violations, concentrating on DUI and other alcohol-related violations. Officers will also be alert to passenger safety (seatbelt and child restraint) and speeding violations.
- At our boat ramps, officers will monitor boat operators for signs of impairment. Since most watercraft in Illinois are towed to and from our waterways, in most cases, a boat operator who is under the influence may become a motor vehicle operator who is under the influence when they tow their boat home. Our officers will take enforcement action to intercept the intoxicated boat operator before he/she drives a motor vehicle.
- Equipment monies received have been used to purchase mobile data computers, alcohol testers, radar detectors and fingerprint kits.
- Access to grants and additional funding sources, has allowed the OLE, for the first time in the history of the department, to purchase every Conservation Police Officer a laptop computer. Having access to the available technology greatly increases not only productivity but officer safety as well.
- Other cost effective measures that are difficult to quantify in terms of dollar savings but which will ultimately result in a savings of man hours expended are the department's current efforts of creating a Share Point site and the purchase of a boat accident software program.
- Creating our Law Enforcement site within Share Point has allowed the field officers easy accessibility to our orders and forms manuals, announcements, the division directory and many other frequently used links to secure law enforcement sites. In the near future, all of our departmental forms will be placed on the site allowing electronic submission of information through the chain of command, saving an immense amount of time, postage and paperwork.
- The software being purchased to address boating accidents will allow our officers to directly enter boat accident information into their mobile computers and which will ultimately be downloaded to the United States Coast Guard's BARD web database. Currently, our officers have to manually complete a form and mail to our Springfield, IL office where support staff then enter the information into the database. This current practice requires that the information be handled multiple times thus adding to the cost and the likelihood of errors.

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**AMFGLEO LAW ENFORCEMENT COMMITTEE
STATE REPORT**

Kansas Department of Wildlife and Parks

By: *Kevin Jones*
Director of Law Enforcement

AGENCY OVERVIEW:

Are officers 100% Wildlife Law Enforcement or Mixed: Mixed. Wildlife and Boating Enforcement

Straight Line Reporting Structure: *YES*

Number of Officers: 80 Commissioned Officers; 1 Colonel, 2 Majors, 5 Captains, 11 Lieutenants; 19 Level 2 Officers; 42 Level 1 Officers

TRAINING ISSUES:

The Division is continuing in providing more scenario based training across the Department. This training includes cross training with the Parks Division and Public Lands Section who have law enforcement responsibilities. We have acquired Real Action Marker (RAM) system equipment to enhance our firearms and officer safety training.

Probably one of the more significant issues from a broader perspective is the increasing level of mandated annual training from the Legislature in areas such as racial profiling, domestic violence and stalking.

FUNDING AND STAFFING ISSUES:

During the past year, funding has become a larger issue for the Department. Reserve balances have continually declined, largely as a result of operating costs increasing. The Department considered raising license and permit fees but concluded that this proposal would be tabled for one year. While user numbers have been relatively stable over the past years, there is a concern that we may be approaching a fee level that would adversely affect license sales. In an effort to maintain operational balances, the FY 2011 budget was developed with a 3% reduction in wildlife related funding.

At present it appears there should be no change to staffing levels. The Division was able to add three full time positions this past year. Two positions are field enforcement officers and the third is an investigator. We have been able to employ six part-time officers through critical times of the year.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

Nothing to report in this category.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

Kansas continues to work joint investigations at the state and federal levels. During the past year a major investigation was advanced resulting in the seizure of over 130 deer mounts from Texas residents. This case is based on information developed by Kansas officers, and through the cooperation of the US Fish and

Wildlife Service and the State of Texas numerous interviews and search warrants were executed in Texas and Kansas. Currently over 25 potential defendants have been identified. The case is with the US Attorney with indictments pending. On behalf of the State of Kansas and the Department I extend my thanks to Chief Benny Perez of the US Fish and Wildlife Service and Colonel Pete Flores of Texas Parks and Wildlife for the valuable assistance their officers have provided in this case.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

The Investigation Section has acquired GPS tracking devices and IP cameras. The results of their limited use suggest they will be a useful and beneficial addition to our investigations.

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

LAW ENFORCEMENT:

Nothing to report in this category.

COST SAVING INITIATIVES:

After lengthy negotiations the Department contracted with Sprint for cellular phone service. As part of this package, officers are provided with air-cards for their laptop computers. This resulted in the land-line internet service being discontinued. Cost savings have resulted because data service fee through Sprint is less than the average cost for wired connections. There is additional savings through the reduction of processing payment vouchers. We are giving strong consideration to basing phone service for officers solely on cellular service. Currently officers have both land-line and cellular options. The primary concern in making the switch is what the increase in cellular cost may be.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

Although funding and operational balances are being closely monitored, the Department was able to find funding to purchase new patrol rifles. After study and testing it was determined that the M-4 version of the AR-15 would be acquired. The rifle will replace the shotgun and M-14 rifle previously issued. A significant consideration was to standardize to a rifle most commonly carried by law enforcement officers across the state.

The Department was approached by OMB Guns with an offer to trade the Glock Model 21 handguns that we have been carrying for new Glock Model 21-SF pistols. Several other law enforcement agencies in the region received similar offers including the Kansas Highway Patrol. The trade was made, gun for gun, with no additional cost to the Department. The pistols were traded out this past May.

Department officers are equipped with air-cards for their lap top computers. We are now able to handle mobile data transmission. Officers in the Kansas City and Wichita areas will be the first officers training and certified to transmit law

enforcement data from the Kansas Criminal Justice Information System. KCJIS is the portal to law enforcement records such as vehicle registrations, driver's licensing, warrant information, etc. Officers will not be able to run III's and a few other select options from their data terminals.

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Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
Kentucky Department of Fish and Wildlife Resources
Law Enforcement Division
Colonel Robert Milligan
June 1, 2009

Training Issues: During May 2009, Florida Fish and Wildlife Commission officers came to Kentucky to provide training to our officers on Waterborne Response to critical incidents. This training is in conjunction with our expanding mission to provide protection to critical infrastructures along the Ohio River. The Ohio River runs for 660 miles along Kentucky's northern border and we have jurisdiction along that entire span (from the Big Sandy River to the confluence of the Mississippi River).

Our officers are taking advantage of the internet Management Assistance Team (MAT) courses that are offer through the National Conservation Leadership Institute. The courses offered help expand their knowledge base and prepare those who are interested for supervisory positions. Officers are also taking Governmental Service Courses (GSC) that is offered, free of charge, to state employees. The program is managed by Kentucky State University and offers courses ranging from budgeting, supervising problem employees, performance evaluations, management issues and a variety of other courses that are designed to enhance the employee's knowledge and make them a more valuable team member.

Funding Issues: The division, in 2008, received several federal grants to purchase boats and other equipment for our enhanced Homeland Security mission on the Ohio River. We also received a grant that provides for overtime pay for our officers who have been certified to conduct safety/security assessments on locks and dams along the Ohio River.

Major Conservation Law Enforcement Trends: Our Special Investigations Unit conducted joint investigations with several of the contiguous states that focused on individuals from those states and Kentucky having purchased resident licenses in a state in which they do not live. The investigation highlighted that Kentucky is loosing in excess of \$300k per year to this type fraud. A recently completed 20 month undercover investigation identified eleven (11) individuals, in this state, who purchased wild turkeys from a supplier in New

Mexico. Our officers received significant assistance from New Mexico Fish and Game Officers during the investigation. Information was also shared with several other states who have on-going investigations related to the illegal importation of wild turkeys.

Unique Cross Boundary or Cooperative, Enforcement Efforts: The U.S. Fish and Wildlife Agency, with assistance from officers from the KDFWR LE Division, concluded an investigation of individuals in Western Kentucky who were using Furadan to poison pests and in turn killing other wildlife and raptors. Those individuals were taken to federal court and received very stiff fines for their offenses.

KDFWR LE and U.S. Fish and Wildlife officers conducted an 18 month investigation into illegal deer harvesting by a company that was using their client's information to harvest deer and issue fraudulent reports to the KDFWR. A KDFWR biologist notices some irregularities with the supplied deer harvest reports and Ky Telecheck data and contacted our officers in the area who were familiar with the company. The company owned 12,000 acres that covered two counties in west Kentucky and sold hunting trips to clients. State and federal officers with the assistance from QDMA gathered forensic information tying hundreds of deer jawbones to the company. Lacey Act violations were triggered due to the company sending jawbones to another state. Those charged (also for making false statements to Kentucky officers), in Federal court, plead guilty and paid \$50k in fines and the company paid a fine of \$35k. Additionally, the site manager was ordered to pay a \$15k fine. One other individual plead guilty of threatening a federal witness and faces up to five (5) years in federal prison.

New Innovations in Conservation Law Enforcement: While not a Law Enforcement initiative, wildlife harvest data has recently been made available, online, to the public. The Fish and Wildlife Commission voted to allow access to the harvest report (Telecheck) by the public by logging on the department website fw.ky.gov where they can view the names of those individuals who check in their harvest and conversely those who don't. This has been of assistance to our officers in detecting individuals who are not in compliance with established regulations.

State , Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement: A Circuit Court Judge in Western Kentucky ruled that our regulation banning the transportation of cervids through Kentucky was unconstitutional due to vagueness. The case arose from an individual transporting cervids from Missouri to Tennessee. The department appealed the ruling but was rebuffed by the State Court of Appeals. Attorneys for the department are reviewing the Appeals Court's ruling to determine if further appeal will be undertaken. The effect of the ruling and resultant Appeal Court's ruling has effectively taken an enforcement tool from our officers for the foreseeable future.

Cost Saving Initiatives: This department is adhering to state mandated initiatives on purchasing and travel even though we receive no general fund dollars.

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**Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
State/Province: Missouri
Submitted by: Larry Yamnitz
Date: June 25, 2009**

- **Training Issues**

The Missouri Department of Conservation (MDC) is presently conducting a training academy. The academy is six months in duration and the trainees are halfway through the class. The academy consists of conservation law, boating operations, waterfowl school, firearms training, land management practices, trapping, fish kills, defensive tactics, and more. There are 19 recruits in the training academy with a graduation date of September 4, 2009.

This past year the Department was able to purchase 25 rifles (S&W M&P 15 .223 cal M4) for the agents. In addition, we were able to work with Smith and Wesson to allow officers to purchase their own rifles that they may carry while on duty. A tremendous response was received with 129 agents ordering a rifle. With the 25 that the Department is purchasing, we will have 154 Protection personnel carrying rifles, which is a very strong percentage of our enforcement work force. We are presently in the process of putting together a rifle training program that all agents will receive this summer.

- **Funding and Staffing Issues**

For the first ten months of FY09, the Conservation Sales Tax receipts were 5.6% lower than the first ten months of FY08. MDC will closely monitor these dedicated sales tax receipts as they represent 60% of the Department's total revenue. The FY09 revenue projection is for a 1.4% decrease in revenue.

This past year MDC explored a general price increase for most permits. But due to the sluggish economy and citizen concerns, the Department altered the proposal and only initiated a price increase on non-resident permits which lagged behind most non-resident hunting and fishing permit fees in other states.

Due to the slow economy and revenue shortfalls, no pay increases have been approved for the next budget cycle. Furthermore, the Department has initiated an incentive program to encourage those eligible to retire to do so, which would ultimately leave approximately 100 plus positions vacant to off-set a \$6.7 million shortfall. The Department is also considering other avenues to reduce costs during this economic downturn.

- **Major Conservation Law Enforcement Trends**

In 2008, Missouri's Operation Game Thief program received 1,030 violation reports which resulted in 323 arrests. Most arrests were for deer violations (185) with turkey violation citations totaling 31. The OGT reporting system was recently computerized which resulted in time savings for agents as well as clerical staff.

This past year 262,798 pounds of venison was donated to Missouri's Share the Harvest (STH) program. A total of 4,690 hunters participate in the program. In light of the current economic downturn, this program provides a quality protein source at a time when food pantries are in the most need. MDC staff, along with STH program partner the Conservation Federation of Missouri, are continually working on securing funding for this valuable program.

Lead bullets for hunting deer have been a topic in Missouri this past year. Missouri's health officials have reviewed this issue and have concluded that lead in venison is a concern, but not a human health crisis. The Department is providing this information in the deer regulation pamphlet this year.

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

It should not surprise anyone that wildlife violators don't just stay in the state they call home as a Clark County, Missouri investigation revealed. Agents noted at least 40 wildlife violations during a recent investigation. They ended up writing one individual seven citations ranging from closed season deer/turkey to take wildlife from a public roadway to failure to tag turkey properly. They also wrote another individual one citation for take protected species (robin). The individual who was written the seven citations admitted to shooting at several other deer, turkey, rabbits, and raccoons besides the five confirmed kills (three turkeys, two deer). In addition, he just got his privileges back because he got caught in Illinois shining with a gun in the vehicle. Furthermore, he also shot at deer and a raccoon in Iowa and this information was turned over to Iowa DNR.

Paddlefish angling activity continues to keep the agents busy. We are observing several fishermen from other states (Minnesota, Colorado, and Illinois) of Eastern European descent converging on the most popular paddlefish snagging waters. They seem to come in large groups and are pretty focused on taking a limit of paddlefish home for everyone in the group. They have a tendency to not follow the rules, but our enforcement efforts are keeping them in check. At this time, we are not sure if any roe trafficking is occurring when they return home.

We have documented some paddlefish roe trafficking in the state and last year's apprehension of an Arkansas commercial fisherman taking paddlefish eggs illegally in Missouri and selling the eggs back in Arkansas was just recently settled in Federal court. The defendant received one year and one day in prison, was ordered to pay approximately \$30,000 in restitution to the Department, and

was required to forfeit his boating equipment, fishing nets, and roe processing equipment.

The states of Missouri and Arkansas were involved in another case concerning the killing of a bald eagle. Missouri Conservation Agent Adam Strader (McDonald County) assisted Arkansas Wildlife Officer David Treat and USFWS Agent Greg Jeffers in the joint investigation. The initial report received by officer Treat indicated three subjects were waterfowl hunting in McDonald County, Missouri, when one of the subjects shot and killed a bald eagle that was swooping in on their decoys. The officers interviewed the three hunters and came away with a confession from one of the subjects for shooting the eagle. The investigation also revealed that two of the subjects did not have Missouri hunting permits at the time they were duck hunting in Missouri. In addition, information from the interviews led to several more confessions for illegally spotlighting and killing deer in Arkansas. Final arrest results included one federal charge for killing the eagle, two Missouri charges for waterfowl hunting without permit, and five Arkansas charges for deer related violations.

We continue to work with the US Fish and Wildlife Service on enforcement patrols aimed at protecting sturgeon from illegal harvest in the Missouri and Mississippi Rivers.

- **New Innovations in Conservation Law Enforcement**

New to Missouri this past year was the use of “Plain View Overpass Compliance Stops”. Agents conducted stops on vehicles in which wildlife was observed by an agent stationed on a highway overpass. The results from this law enforcement technique produced impressive numbers: during a 2007 trial and this past year’s compliance stops 139 vehicles were stopped, which resulted in 78 resource violations, 23 written warnings, and 22 citations. Two hundred fifty-nine deer were inspected during the 21.5 hours of total time the overpass compliance checks were conducted.

Most hunters involved in the “Plainview Compliance Checks” viewed this as positive contact and the tool provided MDC with an efficient way to ensure the telecheck reporting system for deer is being utilized.

The Department is also exploring the use of smart phones for real time information such as NCIC and Department of Motor Vehicle records. In addition, the smart phones would allow us to access the telecheck system and permit sales records, improving field agents’ efficiency. Going the smart phone route would eliminate terminals in the vehicles and upgrade the cell phones all at the same time.

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

Missouri lawmakers recently voted to ban items such as beer bongs and Mardi Gras beads from most Missouri rivers. This bill is designed to help rein in

excessive behavior that is exhibited by some floaters. Similar rules have been enforced on Missouri's federal waterways, such as the Current River, with positive results.

- **Cost Savings Initiatives**

The Department continues to monitor fuel usage in an attempt to reduce fuel use whenever possible. The Protection Division has taken this to heart and so far during FY09 has reduced fuel consumption (gallons used) by 9.31%. This has been done without a disruption in services provided to the public. To aid in fuel reduction the Protection Division has asked supervisors to drive more fuel efficient vehicles while still allowing the field enforcement agents to drive the full size trucks.

- **Other Special Law Enforcement Issues**

The Department recently became the first law enforcement agency in the country to receive the national Concerns of Police Survivors (COPS) 2009 Distinguished Service Award. The COPS highest recognition, the annual award is presented to an active, retired, or deceased law enforcement officer/official or organization for services beyond the call of duty when addressing police-survivor issues. Members of the law enforcement community nominate recipients with the winner determined by COPS National Board of Directors.

Conservation Agent Shawn Pennington and Protection Field Chief Dean Harre received the award for MDC at the National Police Survivors' Conference on May 14 in Washington, DC. The conference was sponsored by COPS as part of National Police Week, May 10-16.

MDC received the award based on a long history of its conservation agents and other staff supporting COPS and the families of law enforcement officers who have been killed in the line of duty.

The Department's involvement began in 1993 with the idea to help surviving families who come to Missouri for retreats during the year. The MDC introduced COPS to its "Becoming an Outdoors Woman" program, which teaches outdoors skills such as canoeing, fishing, shooting, archery and self-defense. The Department then became involved in COPS' Kids Summer Camp where agents taught outdoor skills to children and their parents. While the Kids Summer Camp relocated to Wisconsin in 2005 to escape the intense August heat in Missouri, MDC agents continue to be involved with COPS through other outdoor retreats for surviving families (spouses and siblings).

MDC also produced a video that focused on how COPS helps families of fallen officers through its retreats and other support services. The video was featured on the Department's "Missouri Outdoors" television program.

In 2007 and 2008, the Missouri Conservation Agents Association held golf tournaments, which raised almost \$12,000 each year to help COPS fund its spouses' retreats. The Association will host a 2009 tournament on Aug. 9 at Old Kinderhook Golf Course in Camdenton.

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 2009

AGENCY OVERVIEW

Nebraska Conservation Officers are multi-faceted officers who primarily enforce fish, wildlife, parks and boating laws and regulations. We are also state peace officers and as such enforce all other state laws, particularly on our State Parks, State Recreation Areas, and Wildlife Management Areas. We also assist with many other agency programs and projects such as public outreach, hunter/angler recruitment/development/retention, and wildlife surveys among many others.

The Law Enforcement Division has a straight line supervisory structure with one Administrator (Lt. Colonel), three Assistant Administrators (Captains), five District CO Supervisors (Lieutenants), and forty-six authorized Conservation Officers of which three are vacant at this time with one additional CO on active military duty. One of the COs is a staff CO in the Lincoln headquarters, and we have one staff assistant and one administrative secretary position – the latter is also vacant at this time and probably won't be filled.

TRAINING ISSUES

The Law Enforcement Division has two certified All Terrain Vehicle (ATV) instructors who have trained all of our officers with ATVs assigned to them and many others who might have occasion to use them at some time. We have also provided ATV training to a sheriff's department. The ATVs have proven to be very useful for search and rescue, remote area patrol and for public events such as our outdoor expos.

Four Conservation Officers recently attended an excellent Search Warrant Writing class presented by the Midwest Counter Drug Training Center.

Three District Law Enforcement Supervisors are scheduled to attend the Human/Large Carnivore Conflicts – Dealing with the Media and Public workshop

in Sheridan, Wyoming, May 30th to June 1st. Mountain lion encounters and appearances in urban areas have been on the increase for several years. The training will hopefully give the officers some expanded skills in dealing effectively with these situations that are often wrought with emotion and pre-conceived expectations on the part of the public and other responding agencies.

We will send four defensive tactics instructors to Krav Maga H2H Combat instructor certification in June with the intent of transitioning our defensive tactics training base from PPCT which we have used for over 15 years to Krav Maga. Krav Maga is an Israeli originated training system that is currently used by over 400 federal, state and local agencies in the U.S.

We have purchased three on/off road motorcycles for use by officers to help save some fuel and add another dimension to our mutli-function vehicle inventory. They will be used on large park and recreation areas both on the roads and on trails as well as at major public events in concert with ATVs. The officers who receive the motorcycles are in the process of completing safe operation courses.

Our certified Conservation Officer trainers have expanded our training presence at the Nebraska Law Enforcement Training Center in such areas as firearms, defensive tactics, emergency vehicle operations, high risk vehicle stops, domestic violence enforcement, fish and wildlife enforcement and others. The training provided by CO trainers to all new law enforcement recruits in Nebraska is an invaluable tool for establishing rapport with other law enforcement agencies and officers as well as developing interest among them in assisting with natural resources enforcement efforts in the state.

Four District 5 COs and deputies from the Sarpy County Sheriff's Office completed training in Quarry/Sandpit Safety and Search/Rescue Operations. There are a number of quarry and sandpit operations in District 5 and further west along the Platte River corridor.

We are in a continuing transition to expanded and centralized electronic reporting and data storage which is requiring ongoing training for all LE personnel to insure that they can interface with the various databases effectively and efficiently. We also anticipate implementing a different wireless communications equipment suite to better address officer communications while in the field. At this time we are looking at an option utilizing smart phones for basic voice and data with a tethering capability to officer laptops for sending more complex reports and documents that are generated on the laptops.

FUNDING AND STAFFING ISSUES

Budget constraints implemented over the past several years have helped stabilize our Game Fund. However, several priority agency programs (RDR, Marketing, Access) will receive additional funding beginning with the new fiscal year on July

1st which will require continued frugality in other programs. Therefore, we continue to reduce expenses in several ways:

- We lost three Conservation Officer vacant positions in the new biennium budget. The funding from three other vacancies will very likely be required to augment operating funds to insure that we can effectively field remaining officers.
- Conservation Officers have assumed a very active role in the new Open Fields and Waters Program which is aimed at enrolling more hunting and angling lands/waters for public access in support of our hunter/angler Recruitment/Development/Retention (RDR) program.
- COs are also primaries in delivering the RDR action items to the public statewide. Some traditional duties will no longer be prioritized to insure that the officers have sufficient time to address their RDR responsibilities.
- We have to date issued eight bicycles to officers primarily for use on state park and recreation areas and at public events. They have also been used to good effect in fishing enforcement in the metropolitan areas in some cases teaming bike officers with officers in boats who spot anglers to be checked by the bike officers.
- We have purchased three on/off road motorcycles and are in the process of training the operators and equipping the motorcycles. They will be used in concert with ATVs and the bicycles for patrol of park and recreation areas and at public events such as outdoor expos. They will afford the officers more range for patrol of larger areas. We anticipate substantial fuel savings from their use as well as enhanced public relations, as has also been the case with the use of bicycles.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

Our involvement in the agency hunter/angler RDR efforts is ever-expanding. Conservation Officers will be a major presence in all of the action items ranging from after school outdoor clubs to family camping workshops. As examples, eighteen COs were assigned to assist at the third annual Kearney Outdoor Expo in May; nine officers assisted at the first Western Nebraska Expo in Scottsbluff; and eight officers assisted with the first Platte River Park East Expo in April. Nebraska Conservation Officers presented or assisted with 2,055 programs to many different constituent groups in 2008.

As previously mentioned, we have issued a number of bicycles to officers – they have been well-received by the public, save fuel, and allow the officers to contact groups that have been traditionally difficult to reach.

As also mentioned, we have purchased three motorcycles for cost savings, enhanced mobility and public relations.

The possible transition to smart phones with tethering to laptops is another transition that would allow much better field voice and data communications than we currently have without duplicating data interfaces.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

We continue cooperative efforts in many arenas with a wide variety of other agencies – some examples:

- District 4 officers worked with the North Platte Police Department on a burglary investigation that recovered truck loads of stolen items including hunting and fishing equipment such as decoys, ice augers and a boat among many other things.
- A cooperative investigation with Ontario regarding an illegal moose – court pending.
- A District 1 joint detail on the Niobrara Scenic River with the Cherry County Sheriff's Office and the U.S. Fish and Wildlife Service (USFWS) to address rowdy behavior and alcohol and drug violations on the river. Seven COs assisted over two weekends working in uniform and plain clothes from the shore and in kayaks in concert with the other agencies. 29 citations and 17 warnings for various violations resulted from the effort with many thanks given to the officers by river users who had been negatively impacted by the inappropriate behavior of others.
- Another District 1 cooperative detail was undertaken utilizing an aircraft and COs from Wyoming and Colorado as well as Nebraska in the southwest panhandle area for night hunting. These multi-state operations are particularly effective in dealing with violators who roam across state lines to take wildlife illegally.
- District 3 COs completed two multi-agency boating safety enforcement details on the Missouri River in cooperation with the Washington County Sheriff's Office, Iowa Department of Natural Resources and the U.S. Fish and Wildlife Service. One of the details involving 13 officers (6 Nebraska COs, 3 Washington County Deputies, 2 Iowa DNR Officers and 2 USFWS Officers) focused on a "Poker Run" of high performance boats. The effort resulted in the arrest of 7 boat operators for Boating Under the Influence with 12 other boating citations and 38 written warnings being issued by the officers. These details have been particularly effective in removing intoxicated boat operators and the attendant dangers from the river.
- A District 3 cooperative waterfowl detail in November in conjunction with the USFWS and South Dakota Game, Fish and Parks Officers on the upper Missouri River netted contacts with 108 waterfowl hunters and 6 fishermen with 239 ducks inspected and 44 geese. 17 citations and 15 warnings were issued by the 6 Nebraska COs involved for violations including no waterfowl stamp, taking a protected species, unplugged shotguns and others. The many responsible hunters in the area voiced their appreciation for the concerted cooperative enforcement effort.
- An Early Teal Season detail in District 6 involving 11 Nebraska COs from Districts 1, 4, 5 and 6, and 10 USFWS Special Agents and Refuge Officers from Nebraska, North Dakota, South Dakota and Kansas on the federal Waterfowl Production Areas and state Wildlife Management Areas in the Rain Water Basin resulted in 265 contacts (263 hunters and 2 criminal), 18

state citations and 18 warnings for violations including hunting in closed season, no migratory waterfowl stamp, illegal possession of game and hunting with lead shot among others. There was again very positive feedback from the vast majority of hunters checked.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT

The new State radio communications system project is now finally being implemented with Phase 1 in the far western part of the state scheduled to be activated in September. It is a P25 compliant VHF trunked Motorola system. Some low-load data will also be routed over the radio system with higher volume data being sent over commercial wireless data systems. The new State radio system will provide much more reliable and functional communications for all state public safety agencies and will interface with the other regional communications systems to provide enhanced interoperability statewide.

Our probable transition to smart phones with data tethering to laptops will provide our required high volume data connectivity in support of our participation in the new radio communications system.

The issuing of bicycles and now motorcycles are some new innovations that have, in the case of the bicycles, produced some positive results in savings and public relations. We expect that the motorcycles will also prove to be similarly beneficial.

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

Due to other agency legislative priorities dealing with funding and similar high-profile issues we were not successful in gaining authority for participation in the Interstate Wildlife Violator Compact. However, we did see passage of substantial increases in some fines for fish and wildlife violations, and increases in many liquidated damage amounts for fish and wildlife taken or possessed illegally including some increased damages for trophy animals including \$15,000 for any mountain sheep, \$5,000 for trophy elk, deer or antelope, \$200 for any Master Angler fish over 12" in length, etc.

The agency has implemented a new electronic permitting system for which Law Enforcement Assistant Administrator Craig Stover provided extensive input and assistance during development. The system has many capabilities as far as information retrieval and reporting, and Assistant Administrator Stover has insured that the capabilities have been made available to COs to support effective permit violation investigations. Investigation accounts are being set up on the system for all COs and are managed by the LE Division. The new system and the reporting capabilities will also enhance our ability to provide permit information relating to investigations in a timely manner to other states and provinces.

COST SAVINGS INITIATIVES

While the Game Fund has shown a slight increase over the past year, priority funding of RDR, Marketing and Expanded Access programs have resulted in reduced funding for several divisions including Law Enforcement with attendant economizing efforts:

- Three previously vacant Conservation Officer positions were lost permanently in the upcoming biennium budget.
- Three other CO vacancies will be held open to augment operating funds for the coming fiscal year.
- We have continued to direct that officers reduce vehicle mileage as feasible and prioritize patrol and complaint response. We have also increased mileage for vehicle exchange to 100,000.
- The probable transition to smart phones and tethering to laptops will potentially result in a savings of \$10,000 or so per year, and give us much better field communications capabilities.
- We continue to restrict equipment purchases, especially for high dollar items like boats. However, were able to recently upgrade digital cameras and replace old tape voice recorders with new digital units for all officers.

OTHER SPECIAL LAW ENFORCEMENT ISSUES

Response to mountain lion sightings and encounters continues to be a high priority and resource-consuming issue statewide.

Wildlife disease monitoring efforts have increased with the expanding number of potential and real pathogen threats from avian influenza to CWD and beyond. These take additional time away from some traditional duties that must be de-prioritized due to the potential impact of disease issues.

The continuing budget challenges are having a direct impact on the presence of officers in the field and the level to which some duties can be performed by them. Many of the old traditional duties are becoming de-prioritized and the emerging priority issues such RDR are taking precedence. However, with their typical creativity and initiative our Conservation Officer Corps has risen to the challenges and continues to produce quality products on all fronts to the benefit of our natural resources and our constituents.



AMFGLEO LAW ENFORCEMENT COMMITTEE
STATE REPORT – NORTH DAKOTA
By: *Chief Robert Timian*

AGENCY OVERVIEW:

Officers are Wildlife Law Enforcement along with boat and water safety enforcement.

Straight Line Reporting Structure: *[Y/N]*

Number of Officers: 36

TRAINING ISSUES:

FUNDING AND STAFFING ISSUES:

As of May 2009 our enforcement division was restructured to add an additional working Region. With the new structure we believe we will be able to put more hours in the field per officer and allow supervisors more time to be in the field with the wardens. The Legislature also granted the Department request to add a new position of Warden/Pilot to the Enforcement Division and funds to upgrade aircraft.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

April 2009 brought flooding to many North Dakota cities. The ND Game and Fish Dept. was called upon to assist with providing personnel and equipment to help with security and rescue. Enforcement officers were dispatched to the Fargo area on a rotation schedule until it was deemed no longer necessary. While the bulk of the personnel involved were from the Enforcement Division and the Enforcement Division was tasked with coordinating the Department's response, all Divisions within the Department provided some level of staff and equipment. Even though it was a stressful time for all those involved the Department personnel regardless of Division or regular duties pulled together as one to accomplish the tasks assigned.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

Our Missouri river patrol boat is slated to have a video camera system installed on it in the near future. We are also planning to install 24/7 video surveillance for specific high use areas of the Missouri River. We hope that its installation will be beneficial to our officers in prosecutions and training.

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

LAW ENFORCEMENT:

Our 2009 Legislature added new funds to be used by the Game and Fish Department for additional enforcement related to sovereign lands and waters in and along the Missouri River. Currently a Missouri River Patrol Unit is being put together to include other local law enforcement entities within the Bismarck/Mandan area. This area of North Dakota is an extremely high use area starting the end of May until the first week in September. Over the last 10 years the boat traffic has increased significantly and shown the need for the extra patrol.

The Legislature also passed enhanced penalty and suspension for major resource violations or repeat offenders. Effective 1 August 2009 those charged under the new law will be charge with Class C felonies and in addition to other fines and penalties, may face up to life time suspension of privileges.

COST SAVING INITIATIVES:

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

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**NORTHWEST TERRITORIES COMPLIANCE DIVISION
Environment and Natural Resources
ANNUAL REPORT FOR 2009**

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 department developed a training strategy that focused on the development of training programs and associated management and operational systems that support training in relation to four areas: certifications, appointment related competencies, occupational health and safety competencies and territorial and federal legislation and regulations. The strategy also considers succession planning. All officers were retrained on defensive tactics, judicial process and court procedures along with the mandatory re-certifications of firearms (long arms). The implementation plan for sidearm training has been postponed. Training in spontaneous knife defense and defensive tactics instructor upgrading was provided along with interview and interrogation training. Basic firearm instruction and range officer training will be

offered in the fall 2009. The department is working to implement the workplace simulation standards (mandatory fitness) for 2010.

FUNDING AND STAFFING ISSUES:

Currently have 47 officers deployed into five administrative areas along with specialists in headquarters. We have a new Deputy Minister and Assistant Deputy Ministers (operations and corporate and strategic planning). A new field support operations unit is in place and consists of specialists in compliance, training, public education, traditional knowledge and aboriginal liaison led by an operations support team leader. We are continued to be challenged in meeting regional capacity with the resource development activities and new staff.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

The biggest issue in the Northwest Territories is the re-writing of the department legislation such as: wildlife, forest protection, forest management and regulations. We have just passed the Species at Risk Act with the regulations planned for 2010. Reviews completed on the annual compliance assessment and enforcement activities are evident that there is high level of overall compliance with the legislation administered by the department. The biggest issue identified by regions is wastage of big game specifically barren ground caribou.

UNIQUE CROSS BORDER OR COOPERATIVE ENFORCEMENT EFFORTS:

Officers in a joining jurisdiction are cross appointed to enforce NWT wildlife legislation. NWT officers are also cross appointed to under the Fisheries, Migratory Bird and WAPPRITTA legislation. A communication MOU is in effect with the RCMP respecting sharing radio communication systems.

NEW INOVATIONS IN CONSERVATION LAW ENFORCEMENT:

None to report

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

Officers are continued 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 penalties levied.

COST SAVING INITIATIVES:

None to report

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

The department also has a MOU with the Tourism Department for the enforcement of the tourism and park legislation by ENR Officers and to complete agricultural inspections on poultry laying facilities. The current compliance database is being reviewed and plans to implement a new system in 2010. All licences and permit costs will increase 50% next year. Environmental charges for single use bags to be implement by fall 2009. The department is challenged in working with the Land Claim groups to implement conservation measures to protect the declining Barren Ground Caribou herds in the NWT.



**Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
Oklahoma
June 1, 2009**

By: Larry Manering, Chief
Law Enforcement Division
Oklahoma Department of Wildlife Conservation

The following report covers the period July1, 2008 through June 30, 2009 (FY2009) for the Oklahoma Department of Wildlife Conservation, Law Enforcement Division.

AGENCY OVERVIEW:

The Oklahoma Department of Wildlife Conservation 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.

In addition, the agency has a reserve force consisting of 57 reserve officers who are agency employees assigned to various divisions whose primary duties are other than law enforcement.

The division operates with a straight-line chain of command.

TRAINING ISSUES:

All new game 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 600-hour Oklahoma Basic Law Enforcement Academy, all totaling nearly 30 weeks of training prior to solo assignment.

Recent legislative changes have increased academy training hours from 505 to 600 effective 1-1-09.

The increased academy hours coupled with our in-house training will require a new officer to be away from their home an average of twenty weeks during their first year of service. All game wardens are now required by state mandate to complete twenty-five hours of law enforcement training and two hours of mental health training each year. All game wardens will have to complete eight hours of Evidenced- Based Sexual Assault Investigation by 2012 as mandated by the legislature. In addition, all supervisors are also required to attend twelve hours of supervisory training each year. New supervisors are required to attend 24 hours within one year after promotion.

FUNDING AND STAFFING ISSUES:

Four new game wardens were hired in August 2008 and an additional three more officers were hired in March 2009. We are presently one officer short from being at full force. Vacancies and hiring will continue at a rapid pace due to the fact that many of our officers that are now eligible or will be eligible to retire in the very near future.

We were able to purchase 19 vehicles and 5 boats this year. The vehicles are Ford four-wheel drive extended cabs and four-door crew cab pickups. The equipment for this year's trucks has been upgraded with improved LED lighting, grill guards and new low band radios and in the truck mounted handheld high-band radios. The boats are 20' Sea Arks with 150 hp motors.

We were also able to purchase new Alpen binoculars for all wardens, 30 Alpen spotting scopes and 50 handheld radios

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

The Law Enforcement Division is now able to participate in several federal aid projects in the state that were previously unavailable for our division. Game wardens are participating in a Striped Bass 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. We are presently working with Kansas, Missouri and multiple federal agencies in enforcing the illegal harvest and sale paddlefish eggs.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

The division has purchased new side sonar units that are capable of recording digital images of nets and other features underwater. The new sonar units are proving to be a valuable tool for fisheries enforcement. The department is currently planning on implementing an internet based deer check-in system for hunters to check in their deer and eventually doing away with traditional check stations.

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

New legislation for this year includes a first ever black bear season starting this fall and licensing for fishing guides.

COST SAVING INITIATIVES:

Rising fuel costs continues to be a concern in Oklahoma. Game wardens are encouraged to use time management and to work wisely while conducting their patrols. Fuels saving incentives have been implemented to help offset costs.

The division is comprised of eight districts. Each district is now responsible for their respective district's budget. An increased awareness of spending costs should help in managing the budget and to help keep operational costs down.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

Enforcement of the illegal harvest and sale of paddlefish eggs for caviar continues to be an enforcement issue. Game wardens maintain an increased enforcement emphasis during the annual spring spawn to help curtail the illegal activities associated with the illegal caviar trade. We have seen a significant increase of Eastern European immigrants from all over the US attempting to harvest paddlefish for caviar.



Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
State/Province: Ontario Ministry of Natural Resources
Submitted by: Lois Deacon: Director
Date: June 2009

Training Issues

- Training during the 2008 – 2009 operating season for the MNR was for the most part consistent with the previous year's delivery with some notable exceptions.
- In addition to the mandatory enforcement competency evaluations in self defense, conflict avoidance, judgmental training and firearms (which all Conservation Officers are required to attend) a number of additional initiatives were also carried out.
- As a result of a series of assaults on Asian Canadian anglers that occurred, throughout 2008, the Ontario Human Right Commission (OHRC) held an inquiry. Some groups and individuals tried to blame the assaults on a lack of enforcement by OMNR indicating fishing violations by Asian anglers were the reason for the assaults. However the OHRC report concluded the assaults were criminal in nature (and therefore a police matter). The report also concluded the anglers who were attacked were not doing anything illegal and the assaults were racially motivated. The OHRC report recognized that various agencies have a role to play in combating such incidents. One of the report recommendations obligated OMNR to enhance its training to Conservation Officers on how on how best to respond to complaints based on race. As a result OMNR's Enforcement Branch enhanced its training to include sections on how to best respond to racial profiling and false complaints based on race. The training on Professionalism in Law Enforcement now includes sections on:
 - The Code of Professionalism
 - Conflict Avoidance Officer Safety
 - Bias free Law Enforcement
- The Training Unit purchased a MILO Range Pro in early 2009 and is in the process of introducing this simulator training into the mandatory training schedule.
 - Simulator operators videotape and then load the machine with several versions of common law enforcement situations. Trainees then "play" the scenarios.
 - The simulator resembles a life-size "shooter" video game, but one that responds directly to a trainee's commands.
 - Trainees also can be videotaped as they use the simulator so their performance can be played back to show them what they did wrong -- or right.

Funding and Staffing Issues

- OMNR Enforcement Branch has been receiving increased funding over the last few years (e.g. +7% in 2007/08 and +10% in 2008/09) but, like other publicly funded agencies, the recent international economic problems point to an emerging period of stable or decreasing funding.
- The cost of fueling the enforcement fleet continues to be challenging as fuel prices fluctuate. Each \$0.01 (per litre) increase in the cost of fuel results in a \$10k increase in the cost to operate the fleet.
- Managing staff vacancies in order to live within the budget continues.
- Special salary awards resulting from a “special case” brought to the bargaining table during the recent contract negotiations with the employer (the Government of Ontario) and the bargaining unit (the Ontario Public Service Employees Union) resulted in impacts to the Enforcement Branch budget. Specifically a Conservation Officer’s annual salary will rise from \$68,600 to \$75,800 (Canadian) over the next three years.
- OMNR Enforcement Branch is establishing bona fide physical abilities and psychological testing standards and criteria for background checks for all NEW staff hires. OMNR is one of the few natural resource law enforcement agencies not currently using these hiring standards. The new hiring requirements are still being developed.

Major Conservation Law Enforcement Trends

- A new Service Level Agreement is in effect from 2009 to 2011 between the OMNR’s Enforcement Branch and the Petroleum Resources Centre (PRC). Through this agreement the PRC will prioritize and assign up to 30 petroleum enforcement files per annum to Enforcement Branch for investigation, case management and oversight. This will include assigning up to 500 hours annually towards investigation, intelligence gathering, training and liaison with petroleum program staff and inspectors under the *Oil, Gas and Salt Resources Act*.
- In addition to planned enforcement efforts, OMNR officers engage in education and outreach activities as part of their regular contact with natural resource users. Outreach includes providing information about legislation, rules and regulations, OMNR policy, natural resource management and MNR program initiatives. Other OMNR staff (e.g. biologists) also take part in a variety of outreach and education activities as part of their job. Education and outreach is one of the core duties of a Conservation Officer. For example, in 2008-2009, officers conducted over 17,000 hours of planned outreach involving contact with over 70,000 people. Four new outreach trailers have been purchased for use across the province. They are outfitted with various information products and displays and have been a real draw for crowds wherever they are used.

Unique Cross Boundary or Cooperative, Enforcement Efforts

- No movement on joining the Wildlife Violators Compact. The federal government has the lead for getting this established across Canada.
- For the past 5 years, Conservation Officers from the Sault Ste. Marie and the northeast region have been participating in a joint force initiative, at the Canada – United States border crossing in Sault Ste. Marie, with members of the Canada Border Services Agency (CBSA). The purpose of this initiative is to provide a response to high violation rates, compliance promotion upon entry into Ontario, cost effective enforcement, intelligence delivery to other MNR Districts, create detection and reporting relationships with other agencies including the CBSA, United States Border Protection Service, United States Fish and Wildlife Service and several US natural resource agencies, and to maintain or enhance a positive MNR enforcement image with the public.

New Innovations in Conservation Law Enforcement

- Purchase of licences and deployment of NICHE Records Management System (NICHE RMS) is underway. Niche RMS is the leading law enforcement records management system for numerous law enforcement services (e.g. RCMP, OPP, numerous Ontario municipal police agencies, Manitoba, Alberta, UK, USA, Australia, and Ireland police agencies) and multi-agency consortiums.
- Deploying mobile office technology for field level enforcement vehicles which will include the ability to remotely access:
 - Documents and word processing
 - NICHE RMS
 - The internet
 - Electronic-ticketing
 - Card swipe functionality

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

- A recent decision of the Supreme Court of Canada in *R v. McNeil* clearly confirms that the police (and other investigatory agencies including natural resources law enforcement agencies) have a legal obligation to disclose all relevant disciplinary information related to officers involved in the investigations as part of the initial disclosure brief. A process for complying with this disclosure requirement will likely be developed by the Ontario Provincial Police and will then be adopted by other enforcement agencies in Ontario. In the ruling the court stated:
 - “Obviously the accused has no right to automatic disclosure of every aspect of a police officer’s employment history, or to police disciplinary matters with no realistic bearing on the case against him. However, where the disciplinary information is

relevant, it should form part of the first-party disclosure package, and its discovery should not be left to happenstance.”

Cost Savings Initiatives

- n/a

Other Special Law Enforcement Issues

- n/a

AMFGLEO Law Enforcement Committee Saskatchewan Annual Report – 2009

Saskatchewan Ministry of Environment

Training Issues

In 2007, Saskatchewan entered into a partnership with Alberta and British Columbia to provide centralized training to new Conservation Officers. Saskatchewan has now graduated 21 new officers from the Western Training Academy at Hinton Alberta. Due to the current hiring freeze within the Saskatchewan Ministry of Environment (MOE), there are no new officers being sent to this program in 2009. The annual commitment to provide training officers will involve a contingent of 21 instructors.

Work continues on the development of an outdoor range, 10 minutes west of Prince Albert. This venture is a 50/50 cost share, with the Prince Albert City Police and when completed will boast separate handgun, shotgun/rifle ranges and a tactical training area. A storage unit is currently on site for ammunitions, targets and related equipment. Plans for the end of September, are to have a 1,165 square foot structure, housing washrooms and a large training room, complete with power, video and white board capability.

Saskatchewan recently offered Surveillance Training and a Concealed Carry Pistol Course to 9 senior level officers. This training has doubled the number of trained officers and will allow for a dedicated surveillance team as well as provide a ‘pool’ of officers capable of providing assistance to both the General Investigation unit and the Special Investigations unit during overt/covert operations.

Funding and Staffing Issues

Over the last couple of years, Saskatchewan has operated under a more consistent operating budget. This has allowed for a gradual upgrade of operating equipment.

Newer and better boats, ATV's and snow mobiles are starting to replace an aging fleet of equipment and provide officers an increased level of comfort and safety.

As previously mentioned, Saskatchewan MOE is currently experiencing a hiring freeze, which has resulted in 15 vacant conservation officer positions across the province. Although most field offices have maintained a minimum 2 officer posting, many are staffed with 1 senior officer and 1 temporary junior officer.

MOE Compliance and Field Services Br. have initiated an internal Branch review to determine work load of the various field offices. Once this review is complete, the branch will be in a better position to distribute it's manpower resources to better serve the public and respond to resource issues in the best possible time and manner.

The Enforcement Dispatch Centre , created in 1989 has been experiencing problems in recent years, with acquiring the level of funding necessary to adequately deliver the services expected by the ministry and other users. As dispatch operator positions are generally of a lower classification, part time in nature and involve shift work, maintaining experienced staff has been difficult at best. As part of the ministries mandate to review and transition to a new environmental management model, alternative dispatch options have been considered. The Provincial Emergency Communications Centre (ECC 911) is being looked at as an alternative to deliver some of the services that were previously delivered by the Enforcement Dispatch Centre.

Despite the staffing problems experienced at the dispatch centre, the SASKTIP (Turn In Poachers) program continues to operate effectively, providing an invaluable service to conservation officers by providing information which leads to discovery and/or prosecution of fisheries, wildlife, forestry, and environmental law violators. From 2006 to 2008, the number of calls to the TIP line have been constant, at between 925 and 941 per year. Creating, maintaining and distributing a reward fund to encourage public participation are integral to maximizing utilization of this program. SASKTIP wants to develop a high profile media campaign in Saskatchewan to highlight the program and encourage greater public awareness of the crimes against our resources and environment and how instrumental the public can be in the solving of these crimes.

In 2008, the Resource Protection Trailer was unveiled at Buffalo Days in Regina. Approximately 7,500 people viewed the trailer and displays. Since that time the trailer has seen steady deployment across Saskatchewan, at sport shows, parks, town fairs and other events, with very positive feedback. The trailer is a 20' cargo concession trailer designed with flip up doors to allow viewing of an LCD screen with SASKTIP commercials and a 250 photo power point presentation. Promotional/ educational items include fishhooks, stickers, balloons, licence plates etc. as well as resource informational pamphlets and brochures. Other displays such

as antlers/horns of Saskatchewan; tracks, scats and skulls of wildlife; waterfowl identification; and illegal items (gaffs, lead shot, illegal size nets, spot lights) can also be set up. The trailer and contents is designed for viewing with or without an officer present to answer questions.

Major Conservation Law Enforcement Trends

Profiting from wildlife cannot be considered a new trend by any means. However, it still has a strong influence on the enforcement activities for Saskatchewan Conservation Officers.

This past year saw many investigations into the practice of illegal outfitting. One of the most notable to conclude involved a resident from southern Saskatchewan illegally outfitting and guiding American clients. He had licences which allowed him to outfit clients on some First Nation lands. However, it was found that he covered a lot more territory outside of those lands. He was fined a total of \$116,000 for illegal outfitting and unlawful hunting, he made a \$5,000 donation to our turn in poachers hotline, he paid \$21,000 in restitution to the American clients and forfeited firearms worth approximately \$14,000. In addition he was given a 5 year hunting licence suspension which is the maximum that can be given under this legislation.

A covert investigation resulted in \$25,000 in fines for a pawn shop owner who was illegally trafficking in wildlife including golden and bald eagle parts. The fine included a donation to a non-profit group based in the College of Veterinarian Medicine at the University of Saskatchewan.

Enforcement of environmental law is becoming a more prevalent trend in this province. A significant factor in this initiative is the dedicated prosecutor who works directly with Ministry staff.

This past spring saw convictions under the Environmental Management and Protection Act for three residents. These individuals had done work near the shoreline and a stream on a popular recreation lake. They had placed sand and other material in the water, altered the stream without authorization and ignored an Environmental Protection Order. Fines totaled \$19,000 plus the cost of remediation.

Unrestricted use of ATV's on crown lands impairs ecosystems through disturbance, habitat fragmentation and erosion, and causes unsustainable use of resources. The trend is to bigger and faster machines with operators being more aggressive in the type of terrain they travel and their driving style. The industry has experienced a huge growth in the past few years and now commands the attention of our ministry. Our ministry is conducting a review of the effects of this increased usage and the impacts on various land basis with a goal of regulating use, limiting or establishing use areas and considering such measures as mandatory courses and licencing and

finer for violators who cause environmental damage or negatively impact Saskatchewan's resources.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

In the last year there were many good cases made with the cooperation and assistance from several provincial and federal agencies, as well as numerous states and the USF&WS.

A Manitoba man was fined \$10,050 on eleven counts of purchasing resident hunting licences in Saskatchewan. He had purchased a house in Saskatchewan and he held a health card here. However, he maintained a full time residence, a full time job and a family in Manitoba.

A Quebec resident was convicted and fined \$33,000 and in addition forfeited significant hunting equipment for illegally outfitting. He would bring clients from Quebec to a small town where he was a partner in a residence. Assistance from Quebec officers went a long way in bringing this investigation to a successful conclusion.

At this time there are a number of ongoing investigations involving illegal export of wildlife and the "hunt farm" industry. The success of these investigations will rely heavily on assistance from other Canadian and American jurisdictions.

New Innovations in Conservation Law Enforcement

Consideration is being given to deploying the Resource Intelligence Program to conservation officer lap top computers in all patrol units. This initiative is closely linked to upcoming changes in the government's replacement of the fleet net radio communication platform system.

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

Saskatchewan alone with other Canadian provinces continue to work with Metis Nations regarding Metis hunting and fishing rights stemming from the supreme court ruling R vs. Powley. The application of recent provincial court decisions and court decisions from other provinces is applied in developing enforcement guidelines for Saskatchewan Conservation officers when Metis peoples are encountered exercising harvesting rights. However, there are several cases before the courts relating to Metis rights where the extension of Metis harvesting rights are beyond the provincial interpretation of R vs Powley.

Other Special Enforcement Issues

Over harvest of fish populations by the sport angler in south and central waters, and unlawful outfitting for anglers in Northern waters continues to be a problem in Saskatchewan. Both covert and overt investigations are pursued annually in an attempt to apprehend violators with an emphasis to reduce the resource pressure on all fish species particularly Walleye.

In 2003, conservation officers rights to carry out roadside inspections (RSI'S) under The Fisheries Act was successfully challenged, when the court found an individuals rights and freedoms had been breached. Recent amendments in 2007, to The Fisheries Act (Saskatchewan), The Wildlife Act, The Forest Resources Management Act and The Natural Resources Act, have provided the legislative authority necessary for officers to once again carry out RSI's. These changes to legislation have confirmed as well as augmented the inspection and investigative powers of conservation officers in their protection of Saskatchewan's resources.

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 April 1, 2008 through March 31, 2009 for the State of South Dakota, Department of Game, Fish and Parks - Division of Wildlife - Law Enforcement Program.

AGENCY OVERVIEW

Are officers 100% Wildlife Law Enforcement or Mixed: **Mixed**

Straight Line Reporting Structure: **No**

Number of Officers: **61 conservation officers / 78 total officers in WL Division**

TRAINING ISSUES

The Division continues to pursue the cooperative development of an “Interpersonal Communications Skills Training Program” for conservation officers by state wildlife agencies. The primary contractor working with the cooperating agencies to develop the “IMPACT Project” is Randy Means of Thomas and Means, LLP. The project will involve multiple conservation law enforcement agencies (AZ, CA, CO, FL, ID, IN, MO, NM, OK, PA, SD, UT, WA, WI, WY, AMFGLEO & WAFWA) which have expressed a strong desire and commitment to lead in this relatively new area of professional development. Agencies from other states are still 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.

Following the development of 30 different communication scenarios and associated officer responses, 5 states (SD, NM, WA, CA, and FL) then volunteered to videotape the raw footage to provide to the contractor. Three states (NM, CA and FL) completed their video sequences late in 2008, and WA and SD are currently finishing up with video taping. Most states used in-house cinematography specialists and conservation law enforcement staff to film the various scenarios. South Dakota does not have the capability to produce video in-house, but was fortunate to receive a special grant from the SD Office of Risk Management. SD then contracted with a commercial video production company to produce the 6 scenes we were assigned.

Editing of the raw video scenes has been underway for the past several weeks and we’re hopeful we will have a draft product mid-summer 2009. Once a final product is ‘in-hand’, the contractor will work with individual states or groups of states to provide training for agency staff that will perform the assessment and coaching functions as part of the communication skills training.

FUNDING AND STAFFING ISSUES

We continue to experience some turnover within the conservation officer ranks, but we are hoping to become fully staffed by the end of 2009. Two conservation officer trainees are slated to complete field training during the summer. It is anticipated

that another three conservation officer trainees will attend our State Law Enforcement Academy during the fall of 2009. There were 49 applicants for our last job announcement.

South Dakota, like many other states, experienced a hiring freeze that lasted several months in late-2008 and early-2009. In addition, capital asset purchases were frozen and out-of-state travel was halted. It will not surprise us to see some of these measures reinstated later in 2009.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

The 2008 South Dakota Legislature passed a law that allows the development of young resident hunters who are at least age 10 but younger than age 16 to hunt with an adult mentor. The Mentored Hunter Program was designed to introduce young hunters to the sport as an initial step before taking the hunter safety education course and purchasing a license for those ages 12 and older. The mentored hunter does not need a license or hunter safety certification, but must be under the immediate supervision of an adult mentor who is legally licensed and has hunter safety certification. Over 1,400 big game licenses were issued in this first year. It is unknown how many mentored small game hunts took place.

The first state-sponsored Outdoor Expo event for South Dakota was held in mid-May. There were over 4,000 visitors to the two-day weekend event held at the State Fairgrounds in Huron. The focus of the event was to encourage families to participate together in outdoor recreation activities. A number of private businesses joined outdoor related groups and state agencies to present hands-on programs in hunting, fishing, and kayaking, bicycling, and other activities. The goal was to create a positive “buzz” for future events and based on exit surveys the Expo was a success. The Second Annual Outdoor Expo is planned for June 13-14, 2009. Hopefully this event will serve as a tool to aid in the recruitment of new outdoor enthusiasts.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

Our two wildlife investigators continue to work closely with the USFWS and other state and tribal wildlife law enforcement agencies to conduct covert hunts on a number of commercial hunting operations suspected of violating game and fish laws. One significant case was prosecuted during the past year that involved illegal deer/elk hunting on and off the Rosebud Sioux Indian Reservation in south central South Dakota. In the end, twenty defendants were convicted of various state and federal wildlife crimes. Four of the defendants were charged with felonies and the remaining 16 were charged with state/federal misdemeanors. ATF and the SD Department of Criminal Investigation also became involved in the investigation due

to weapons and drug violations that had transpired. A total of \$29,810.00 was collected in fines and another \$45,100.00 in civil damages and restitution, resulting in a grand total of \$74,910.00 for the case.

Many Conservation Officers and other Department staff were called upon to assist in rescue/relief efforts following a Nov 5-8, 2008, blizzard that affected the western two-thirds of the state. Interstate 90 was closed from the Wyoming border to Mitchell (330 mile stretch) after 50 semi tractor/trailers and nearly 200 other vehicles became stuck and subsequently abandoned on or near the roadway. The Black Hills area received four feet of snow in parts and winds gusted in excess of 50 miles per hour. Ten to twelve foot snow drifts were common across the affected area, with twenty foot drifts documented in some locales. The wet, heavy snow snapped power lines and poles near the Pine Ridge Indian Reservation. Game, Fish & Parks employees hauled generators, food, water and supplies to shelters that were without heat or electricity.

Conservation Officers were requested to assist in an operation on a dairy farm during the fall of 2008. Several felony arrest warrants were served on individuals working at the dairy that purchased vehicles and then used fictitious Social Security numbers to get registration for license plates on the vehicles. Our CO's, equipped with ATV's, were utilized on the outer perimeter to watch for individuals who tried to escape. The operation involved approximately 50 officers from various state and federal agencies and resulted in twelve of the eighteen arrest warrants getting served. Additionally, several suspected illegal aliens were detained by ICE. Each of the individuals was charged with one count of fraudulent registration of a motor vehicle and one count of identity theft. Each charge is a Class 6 felony and individuals were given the opportunity to post a \$20,000.00 cash bond.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT

The Division put our newly acquired Centurion side-scan sonar units to work since the last report. The South Dakota Division of Criminal Investigation requested assistance from our LE Staff after discovering we had this resource. A cold case was re-opened to investigate the disappearance of a man who was believed to have possibly driven his vehicle into a lake. At the time of the disappearance, investigators and dive crews could not find enough evidence. Conservation Officers utilizing the side-scan sonar unit found the vehicle in question and the remains of the body were later identified as the missing person.

We are still looking to develop a case management system and are continuing to explore the concept of building a system 'from scratch' to suit the needs of our Department. Existing commercial programs were reviewed, but none captured all of our needs.

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

We had a successful Legislative Session in 2009. Several “bad bills” were defeated thanks to the behind the scenes work done by sportsmen, SD Wildlife Federation and agency administrators. Bills of significance that were passed included:

- HB1004 – Provides for the killing of mountain lions under certain circumstances
- HB1104 – Authorizes a sentencing court to impose consecutive revocations of hunting, fishing or trapping privileges when an individual is convicted of multiple violations where revocation is required in law as a condition of conviction
- HB1051 – Allows for the sale and purchase of lawfully mounted fish
- HB1053 – Repeals the prohibition against resale of seized/abandoned property purchased from GFP
- HB1054 – Authorizes designated hunters to assist certain youth big game hunters who possess disabled hunter permit

This year marks the 100-year anniversary of the inception of the Department of Game, Fish & Parks. Our motto for this celebration is “Serving People, Building a Heritage: 1909-2009.

Within the past year the Department undertook several significant revisions in our regulations. Major overhauls were conducted with our bait dealer and private fish hatchery rules. This involved several meetings with members of these industries, not to mention lots of planning on the part of law enforcement and fisheries personnel. Additional changes were made to the game/fish transportation (species/sex identification) and gifting regulations.

In an effort to enhance agency communication and outreach efforts, the Division of Wildlife moved forward in 2008 with a new initiative to develop ‘Regional Advisory Panels’. The primary purpose of these panels is to achieve an elevated level of outreach and feedback on Division programs and policies. Each panel is comprised of nine interested citizens that reside in each of the four administrative regions of the Division of Wildlife. The stated purpose of the panels is “*to assist in developing ideas and solutions to address the challenges and opportunities that the wildlife division is facing and will face in the future*”. It is hoped that the panels will provide an additional link between wildlife division staff and commissioners and the people that the Agency serves.

All four panels held inaugural meetings in fall of 2008. The first meeting was used for orientation on the desired direction of the panels and generation of ideas that panel members would like to discuss in future meetings. All panels had second

meetings during the winter of 2008-09. Although each panel generated a somewhat diverse list of issues to address, the common thread to all was a desire to discuss and identify ways to recruit young hunters and anglers into the group of users that enjoy the abundant outdoor recreational opportunities available in the state.

Additional objectives of the Regional Advisory Panels are to:

- Provide an additional link between the Wildlife Division, the Game, Fish and Parks Commission and our customers by providing feedback from various perspectives, along with input for long range visioning
- Identify challenges and opportunities to fish and wildlife management in South Dakota
- Develop ideas and potential solutions
- Promote greater awareness and understanding of fish and wildlife management challenges

Association of Midwest Fish and Game Enforcement Officers

STATE REPORT – TEXAS

By: *Col. Pete Flores*

AGENCY OVERVIEW:

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

Straight Line Reporting Structure: *Yes*

Number of Officers: 535

TRAINING ISSUES:

Provided training to Game Wardens in aquatic plant identification to aid in enforcement of invasive plant regulations

A class of 51 game warden cadets graduated on June 9, 2009.

Field officers statewide taking part in Simunitions training and completing NIMS courses as required.

The FBINAA and the Texas Parks and Wildlife Law Enforcement Division sponsored an Undercover Training Class focusing on introducing officers to Covert Operations. This training was facilitated by the TPWD Special Operations Unit.

FUNDING AND STAFFING ISSUES:

In 2008, there were 88 patrol vessels purchased. Modernizing the fleet has been a top priority in recent years as many patrol boats older than 10 years are being replaced.

Supplemental funding received to fund 15 additional game warden cadets for posting on the Mexican Border.

The Law Enforcement Division is continuing to seek additional grant funding to build a fleet of rapid response patrol boats. Funding secured for airplane. The Division has acquired state funding for 7 large patrol boats for the Gulf of Mexico, Falcon and Amistad Reservoirs.

Pay increases for commissioned and noncommissioned staff.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS:

Aquatic invasive plants, fish and shellfish imports and sales have increased across Texas. Enforcement efforts have increased for the prevention of the spread of invasive species infestation.

A recent trend has been that boating fatalities almost exclusively involve a single vessel, as opposed to a vessel to vessel collision. In 2008, 59 of the 61 boating fatalities involved only one vessel.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS:

Texas Parks and Wildlife Department completes another year of a successful Joint Enforcement Agreement with the National Marine Fisheries Division of NOAA, protecting the fishery resources of the Gulf of Mexico.

The USCG is bringing stakeholders together on Lake Texoma to address passenger carrying vessels including commercial fishing guides. The meetings may lead to an agreement of the three entities to address the licensing and inspection of these commercial vessels consistently. Similar meetings may be held to address common issues on border waters with Louisiana.

December 11, 2008 Texas Game Wardens on TPWD Captain Williams along with the US Coast Guard out of the South Padre Island Station made a huge long line, gill net seizure. Over 2,700 feet of gill net, and 19,000 feet of long line was seized. The nets contained around 20,000 lbs of redfish, tarpon, and sharks. Combined length of illegal gear was over 2.5 miles long and 24 feet deep.

TPWD Law Enforcement is working with the Texas Radio Coalition on cooperative infrastructure project for radio communications.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT:

In regulating the commercial fishing industry emphasis has been placed on tracking aquatic products from the harvest to the seafood dealer. Texas Game Wardens have increased inspections of businesses and ports of entry into the state, to identify and regulate the sale of aquatic products in the state.

The Law Enforcement Division received A NEW 29' Safe Boat the P/V WESLEY WAGSTAFF, in December that is stationed in Brownsville, Texas. This P/V will be patrolling the waters of the Gulf of Mexico and the US/Mexico Border.

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

The Boating Law Administrator has been busy presenting a proposal that would change to the navigation lighting regulations. The proposed concept would create an optional lighting method for recreational boats that would eliminate vision problems associated with glare from the all-round (white) light. The proposal has been presented to the National Boating Safety Advisory Council, the Navigation Safety Advisory Council and the US Coast Guard. A demonstration of the concept is planned for September 26-30 at the NASBLA conference in Corpus Christi, TX.

Legislation passed during the 81ST Legislative Session has resulted in changes to various aspects of wildlife enforcement in Texas.

House Bill 3391 authorizes the Texas Parks & Wildlife Department's existence until September 1, 2021. This is known as the Sunset review and is required by Texas Sunset Act every 12 years. During this process, all aspects of the Department are reviewed and recommendations are made by the Legislature. During this review, a State agency can be abolished if the Legislature finds that the agency is no longer needed.

House Bill 3391 authorizes TPWD to join the Interstate Wildlife Violator Compact (IWVC) and gain the benefits of a multi-state approach to handling violations of fish and game laws. Texas would not need to change its wildlife laws to match those of other IWVC states, but through rulemaking, the commission would have the flexibility to indicate which laws of other states would be recognized as violations for Texas licensees. Enforcing wildlife laws against out-of-state violators is burdensome on Game Wardens because Game Wardens are often having to arrest and transport non-residents to appear before a magistrate for offenses that only require issuing a citation to a Texas resident. Joining the IWVC will ensure that Texas Game Wardens are able to spend more time in the field looking for

violations, enable Texas sportsmen to receive citations instead of being arrested while in other states, and enhance the effectiveness of Texas wildlife laws by preventing violators from escaping consequences by crossing a state line.

Senate Bill 872 relating to continued health insurance coverage and financial assistance for eligible survivors of certain public servants killed in the line of duty was signed into law by Governor Rick Perry on May 19, 2009. This legislation allows the surviving family members of a law enforcement officer killed in the line of duty to continue to purchase health insurance from the governmental entity that employed the deceased officer at the same rate that the employee was paying for the insurance. This law became effective immediately.

House Bill 1805 relating to the use of laser sighting devices by hunters who have certain documented disabilities was signed by Governor Rick Perry on 5/23/2009, effective immediately. This bill authorizes a person with a documented permanent physical disability to use a laser sighting device while hunting during lawful hunting hours in open seasons when assisted by a person who is not a person with a physical disability, has a hunting license, and is at least 13 years of age. The bill requires a hunter who is a person with a physical disability to carry proof of being physically disabled.

House Bill 3391, TPWD's "Sunset" bill, was amended to include the sale or purchase of certain parts of game animals or birds. Current law prohibits the possession, sale, or purchase of certain game, but allows the sale of inedible parts of a deer, including the hide, antlers, bones, hooves, and sinew. This bill would allow the sale of feathers, bones, or feet of a game bird other than a migratory game bird and the sale of the feathers of a migratory game bird in accordance with federal law. The bill would also allow the sale of the hair, hide, antlers, bones, hooves, horns, skulls, or sinew, as applicable, of pronghorn antelope, deer, desert bighorn sheep, collared peccary or javelina, red squirrel, or grey squirrel.

Senate Bill 1121 relating to the retrieval and waste of game birds, game animals, and fish has been signed by Governor Rick Perry, effective 9/1/2009. Current Texas law pertaining to the waste of game authorizes Game Wardens to file criminal charges against an individual for taking game birds, game animals, or fish and failing to keep the edible portions of the bird, animal, or fish in an edible condition. These provisions only apply to a person who takes, rather than takes or possesses, such game. This bill extends the prohibition against wasting the edible portions of game to include an individual who possesses the game. The bill defines "edible condition" as fit for human consumption, excluding any portion of a game bird, game animal, or fish that is bruised by bullet, shot, or arrow, or otherwise destroyed as a result of harvest; decayed or rotting; or obviously infected or diseased, and defines "edible parts" as the meaty portions of a carcass that are retained for consumption after quartering.

COST SAVING INITIATIVES:

Reviewed civil restitution program and implemented a streamlined procedure to notify persons who owe civil restitution. In addition, we established an administrative fee that is assessed when persons apply to have their license privileges re-instated after license revocation or denial. This cost savings initiative will provide for the annual salary of a clerk to assist the administration of the program. Texas Parks and Wildlife reviewed the memorandum of understanding with the Food and Drug Administration in regards to required inspection of the state oyster patrol program. After several years of highly satisfactory inspections Texas was qualified to reduce these inspections from an annual inspection to an inspection every two years under the MOU. This resulted in saving patrol hours and fuel for boats and airplane used to transport the FDA inspector.

Using proceeds from surplus boat and vehicle sales, and seized weapons sales to purchase new equipment.

OTHER SPECIAL LAW ENFORCEMENT ISSUES:

The Division continues to play a major role as “Texas Law Enforcement Off The Pavement.” Our role in Emergency Management, hurricanes, floods and our role in Homeland Security, especially on the State’s inland and coastal waters and on the Mexican Border, have resulted in millions of dollars in funding and equipment. This role has also been critical in the addition of 30 extra game wardens from the 80th and 81st Texas Legislature.

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Association of Midwest Fish and Game Law Enforcement Officers
2009 Agency Report
Wisconsin
Randal Stark
July 7th, 2009

• **Training Issues**

This year Law Enforcement spent time concentrating part of the training curriculum on response to active shooter events. Annual recertification training included an 8 hour active shooter session for all conservation wardens. Additional active shooter training began for noncredentialed staff so they could better understand their options in the event an active shooting occurred.

Because of budget issues several elements of recertification training were completed during regional meetings rather than by having all wardens travel to a central training location.



In January 2009 several wardens participated in specialized training for ice and cold water rescue. Here Warden Ryan Volenberg practices the techniques by assisting a “victim” during the training.

All full time Conservation Wardens participated in water safety and survival training in the summer of 2008.



The members of the 2008 Recruit Conservation Warden class completed their first year of training in December and began work in their permanent field stations in January 2009.



Interested staff and 2008 Recruit Wardens attended Advanced Investigative Training conducted by the DNR’s Special Operations Unit. Several conservation wardens from neighboring states attended.

- **Funding and Staffing Issues**

In FY 09, Law Enforcement faced a significant vehicle operation cost increase. In prior years wardens enjoyed the ability to drive virtually unlimited miles; as a result they paid a reasonable, fixed monthly rate. Budget issues caused a review of that program and a decision was made to return to per mile rates for two

reasons. 1) The flat rate increase in FY 09 would have been unaffordable and 2) The cost per miles rate would allow managers to slow or stop driving and thus halt expenditures if necessary. Even at that, the per mile rate was initially set at .063 per mile. A mid year adjustment brought the rate down to .54. In the end, even with a cost/mile reduction, it was difficult to conduct some patrol efforts; however, it did cause wardens to become extremely frugal and efficient with miles. FY 10's mileage rate is expected to increase thus exacerbating the patrol effort.

At the time this document was updated the Wisconsin Legislature was reviewing the entire state's budget. Law enforcement was hopeful that several funding proposals would be advanced. In light of the economic situation, the coming biennium will be a significant challenge. Fortunately, based on funding sources, some cuts aimed at tax generated accounts will be deeper than those cuts aimed at license revenue generated accounts. License revenue accounts are approximately 60% of our budget.

Law Enforcement will implement furloughs in FY 10 based on directives from the Governor's office to DOA. As such, all employees (LE included) will be furloughed eight days each year for the next two years. This action causes 12,000 hours to be removed from public safety and resource protection and another 1600 hours of administrative assistant time to be un-worked. The furlough, essentially adds to the growing list of vacant stations which has remained steady from 17 - 20 during FY 09.

Two of our conservation wardens are currently serving our county in the Armed Services; staff thinks of them often. One of the wardens (2008 Recruit Matt Groppi) serving in Afghanistan organized a charity drive to collect pens, paper and other items to help meet the classroom needs of Afghani children. According to Matt, students like this young man will put to good use the relatively simple items donated. This father holds a new notebook for his son.



- **Major Conservation Law Enforcement Trends**

There were several major areas of work that Law Enforcement paid close attention to during 2009.

Transportation and sales of bait fish. The Special Operations Unit conducted numerous investigations into the business of bait fish sales and transportation and found cause to investigate the issues at much deeper levels. Results are still being investigated so there is little that can be reported on; suffice to say, 2010's report should be able to report significant findings.

In May of 2008 we started our Water Guard program to help combat the introduction and spread of Aquatic Invasive Species in Wisconsin. At that time nine talented, dedicated and creative Deputy Wardens began



employment throughout the state. They have focused on creating a first line of defense against aquatic invaders using a combination of enforcement, education and community outreach and collaboration. The first year of the program has been a great success as the Water Guard deputies made thousands of positive contacts that have led to greater knowledge by the fishing and boating public of the need to inspect, drain and clean their boats, trailers and fishing and hunting gear before and after recreating in the state's waterways.

During the past year Environmental Enforcement staff addressed 834 violations of state environmental protection laws intended to protect public health and fish and wildlife habitat. Penalties assessed in 2008 exceeded 4.8 million dollars.

Thrill killing reached a different level in 2009 in Wisconsin. Three instances of killing wildlife via snowmobile were discovered. One case involved snowmobiles running over deer and two cases involved running over waterfowl. Wisconsin had not experienced anything like this before per se especially having three cases back to back within a month's time. Running over coyote, fox and other species with snowmobiles and other vehicles have been experienced. However, these three recent snowmobile cases brought about a huge public outcry.

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

The Wildlife Violator Compact was implemented in April 2008. That year 76 violators were added to the database. In 2009, the department added 177 names. There have been a total of 449 Wisconsin residents revoked through the compact, although many were not revoked in Wisconsin since the violations occurred before Wisconsin's entry date; however they were revoked in other states. Wisconsin has reviewed and agreed to recognize over 3,500 suspensions entered into the database by 30 other member state. The state also showed 80+ violators that complied with their citations after receiving letters from the DNR stating their privileges would be revoked through the compact if compliance was not met.

Flood response - Bureau of Law Enforcement staff assisted in the coordination of flood response activities: search and rescue, security around threatened dams and assist inspections, damage assessment, serving as operations officers in the State Emergency Operations Center, managing volunteers to clean up flood damage, providing pumps to flooded communities and assisting with aerial surveillance of flooded areas.

Hundreds of hours were logged by wardens and law enforcement staff during the 30 days of operating under a Governor declared emergency. Other activities carried out by the wardens include:

- 69 Wardens deployed in the field
- 154 Search and rescue missions
- 20 Deliveries of medicine and oxygen tanks

- 162Gas and electric shutoffs with gas and electric companies
- 18Businesses assisted by transporting owners to and from businesses in flooded areas (farmers, vets, apartment owners, butchers)
- 29Bulk deliveries of water and food
- 55Dams inspected, monitored or transport of engineers to dam areas
- 32Pets rescued

New Innovations in Conservation Law Enforcement

This year, one of Law Enforcement's retired conservation warden supervisors came back to work part time to implement the Electronic Fish Harvest Reporting Program. The program is in its final stages of implementation after years of work and rule changes. Once final, commercial fish harvesters will use laptops to communicate harvest result to the department for management purposes; as well, law enforcement will review quotas and harvest limits for compliance. The program is expected to streamline data input reduce staff input time and create efficiencies for management and enforcement investigation purposes.

The Special Operations Unit continued to procure electronic surveillance equipment and put units into use. Real time trackers were used as well as IP cameras where video surveillance was streamed over secure Internet connections. Once such case allowed one of the wardens to watch and later apprehend a fish snagging violator on tributary using his CF 30 mobile computer, while at the same time checking on goose hunters in person miles away.

The ATV and Snowmobile Administrator continues to work with recreational vehicle users groups, legislators, media and DNR staff to move forward with possible legislation to increase penalties on recreational vehicle OWI. One potential change is to "tie-in" recreational vehicle OWI convictions to Wisconsin Driver License.

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

After three attempts in three legislative sessions, the Wisconsin legislature passed a mentored hunting bill the spring. It is awaiting the signature of the Governor. This bill creates a "New Hunter" mentoring program for people of any age. It creates a very controlled mentoring opportunity that allows any person with a hunting license **age 10 or older**, resident or nonresident, to experience hunting under strict conditions without first attending a hunter education course. Following are the conditions required for mentored hunting:

1. Only one firearm or crossbow between the mentor and the person being mentored.
2. A person may not serve as a mentor for more than one person at a time.
3. The mentor must at all times be within arms reach of the person being mentored.

In terms of the mentor qualifications:

1. The mentor must be at least 18 years old.
2. If the mentor is not the parent or guardian, they may only act as a mentor for someone under age 18 if they have the approval of the parent or guardian.
3. The mentor, if born on or after January 1, 1973 (now age 36 and under), must have a current valid hunting approval and be a hunter education graduate.
4. The mentor, if born before January 1, 1973, must have a current valid hunting approval or be exempt from the license requirement

- **Cost Savings Initiatives**

Although the below examples are not necessarily costs saving initiatives which turned money back to state coffers, they were changes that did save funds. In turn, the changes were used to stretch the funds provided to conduct public safety and resource protection work.

As mentioned under the **Funding and Staffing** header, Law Enforcement suffered significant mileage increases and station budget decreases. These difficult times spawned the need to limit mileage and instead of allowing basically unlimited mileage to get the job done, Law Enforcement was forced to issue mileage allotments for the first time in nearly 30 years. As difficult as it was for staff to accept the challenges brought on by the allotments, wardens rose to the occasion, conserved, carpoled prioritized work and consolidated - what used to be multiple trips, into one or two.

Also due to budget issues, Law Enforcement fiscal specialists approached budgeting from a new angle. Instead of listing off the central office needs and then funding those initiatives first, instead the field stations were analyzed and a station need was determined. Field station base budgets were established first and then the central office's needs were met. It was a reversal of how budgeting was conducted in the past, but it was necessary in order to maximize public safety response and resource protections at a level that could be sustained financially and socially.

Law Enforcement began to make full use of video conferencing instead of using conference calls. The program used is part of the Microsoft Office Suite and is directly linked to MS Outlook; it's called Microsoft Live Meeting (LM). The cost of equipping a team (7-8 wardens) with LM pays for itself in just one of two equivalent conference calls. The cost benefit listed above doesn't include the significant savings that can be realized when mileage and travel time (salary) are factored in.

- **Other Special Law Enforcement Issues**

Check out WI DNR Bureau of Law Enforcement's Annual Report On line;

<http://dnr.wi.gov/org/es/enforcement/DOCS/2008AnnualReport.pdf>

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