



**2010**

**Annual Agency Reports**

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

**2010 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**  
**Date: 05/11/2010**

- **Training Issues:**

The Colorado Division of Wildlife did not have a District Wildlife Manager training class in 2009 due to budget constraints. Luckily, the last training class had five more people than there were districts available so this surplus helped us not lose ground in filling vacant districts. However, if a training class is not approved for the FY 10/11 then there will be a need for several due to retirements. Although not a new requirement, Colorado Wildlife Officers are mandated to do a minimum of 40 hours of continuing law enforcement training each calendar year by State statute. Colorado Wildlife Officers are currently the only law enforcement officers required to do so. However, it has resulted in our Wildlife Officers being some of the better trained law enforcement personnel in the State.

- **Funding and Staffing Issues:**

Despite Colorado struggling with the most difficult economic environment since the great depression the State was able to take strides in protecting its valuable wildlife resources. The Division of Wildlife invested \$26.7 million to protect over 15,000 acres of important wildlife habitat; provided sportsman with about 3,000 acres of new hunting access and about nine miles of fishing stream access. However, declining license revenue, especially big game license sales, elk in particular, are continuing to decline due to several factors. One factor is that many of our larger elk herds are reaching population objectives resulting in fewer cow elk licenses. The second factor is there is not as high a participation in people buying over the counter bull elk license. The last factor is reduced non-resident participation because of economic conditions. Therefore, the Division of Wildlife will have to strategize ways to overcome this budget loss over the next few years. The economic downturn did affect the Division of Wildlife's most valuable resource, its employee's, who carries out the strategic plan and mission of the agency. The Governor established a hiring freeze which meant employees picked-up that slack of vacant positions. In addition all employees took a mandated eight day furloughs with no cost of living increases or no performance raises for the year.

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

Colorado continues to work several cross boundary, cooperative, enforcement efforts against the people who diminish or destroy our wildlife resources. Below is just one example of a case where wildlife officers in conjunction with Operation Game Thief, a nonprofit natural resources crime-stoppers program worked with the States of Wyoming and West Virginia to stop the wildlife carnage.

### Career Poacher and Friends Caught Through Great Game Warden Work:

In late 2008 Officer Mike Swaro received information through Operation Game Thief that three men from West Virginia were involved in some shady hunting activity around Craig, Colorado. The anonymous tips kept coming in tell Officer Swaro that the three men were shooting animals without licenses, wasting meat in the field, and sometimes only taking the heads off of animals including deer, elk, and antelope. Officer Swaro contacted their home state of West Virginia and found out that one of the men had been convicted of poaching deer there on multiple occasions. Officer Swaro also found out that the same man had been cited for minor wildlife violations in Colorado in the past several years as well.

Through close contacts in the community, developing informants, collecting tissue samples from poached animals in the area and through solid surveillance techniques of watching their house both day and night, Officer Swaro was able to obtain search warrants for the men's vehicles and home. Officer Swaro led the charge to serve the search warrants, interview the suspects and witnesses and seize valuable evidence. Due to Officer Swaro's evidence collection the Wyoming Game and Fish Wildlife Forensics Lab was able to successfully match deer and antelope heads seized from the suspects to carcasses that they had left in the field through DNA matching.

As a result, in early 2009, Officer Swaro was able to make a case against the three men. It was determined that the men had been involved in the illegal killing of more than 20 deer and three pronghorn. Officer Swaro obtained arrest warrants for the three men and all the men were ultimately charged with felony wildlife violations.

John Davidson (41 years old) pled guilty to willful destruction of big game (killing animals and only taking the heads) a felony. Davidson was fined \$7000 and sentenced to 60 days in jail and three years probation. Davidson also forfeited all wildlife seized and weapons used to kill those animals. Davidson faces up to a lifetime hunting and fishing suspension.

Jeremiah Tyson (34 years old) pled guilty to hunting without a license and illegal possession of three big game animals. Tyson was fined \$8900 and forfeited his rifle and all wildlife seized. Tyson faces up to a lifetime hunting and fishing suspension.

David Park (38 years old) pled guilty to one count each of hunting deer and antelope without a license and to one count each of illegally killing a deer and an antelope. Park was fined \$3700 and forfeited his rifle and all wildlife that was seized. Park faces a suspension hearing.

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

The Castle Pines Homes Association, Inc’s (CPHA) filed a complaint for injunctive relief, alleging a civil nuisance against the Defendants (Kings). The Douglas County District Court entered a preliminary injunction finding that hunting on the King Ranch presented a substantial risk that someone could be seriously injured by these activities. CPHA sought to permanently enjoin the Kings from allowing hunting with firearms on what is referred to as the King Property. The Colorado Division of Wildlife (DOW)/Wildlife Commission intervened in the lawsuit seeking to protect the Commission’s authority/ability to regulate hunting and hunter safety issues. Chief of Law Enforcement Jay Sarason and Hunter Education Coordinator Mark Cousins provided expert testimony on behalf of the Division of Wildlife. Below are some excerpts from the Court’s Order. “The Court’s decision is dictated by the elements of a private civil nuisance, which are an intentional, negligent, or unreasonably dangerous activity and substantial interference with a plaintiff’s use and enjoyment of [its] property”...”The Court finds experts Sarason and Cousins made the most credible and persuasive witnesses at trial...While neither witness could guarantee that a hunting accident will never occur on the King Property, they consistently testified that, with limited exception, hunting with high powered rifles can be carried out safely on the King Property given its rolling hills and numerous backstops provided that established and regularly taught hunter safety rules are followed.”...“DOW is the primary state agency responsible for the management of wildlife and regulation of hunting in the State of Colorado. After completing an investigation of hunting practices on the King Property, DOW had concluded that hunting can be conducted safely on the property and has recommended that hunting be allowed to continue. In light of DOW’s expertise on these issues, the Court must give the agency’s recommendations considerable deference.” ...”Consequently, the Court finds that, with the possible exception of the north shelf area and the southwest corner of the King Property, hunting on the King Property does not create an unreasonably dangerous activity which should serve as a basis for permanent injunctive relief.”



**Illinois**  
**AMFGLEO ANNUAL REPORT**  
**By Rafael Gutierrez, Director of Law Enforcement**  
**June – 2010**

- **Training Issues:**

Illinois continues to seek a Community Oriented Policing Service Hiring Recovery Program (CHRP) Grant for 7 new Conservation Police Officers. The approved headcount for the Office of Law Enforcement (OLE) is 175 sworn. The current headcount is 140 and we project 10 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 decentralized the firearms training program during 2009. The results of this change have been positive and beneficial. The decentralization allowed each Region and District to be more flexible, thus eliminating scheduling conflicts and overtime concerns. The training staff was able to provide more focused instruction, run a safer range, and address issues more efficiently.

The Firearms Staff is providing the 2010 Firearms Qualification Shoot for the OLE Retired Officers.

The OLE training section continues the training of defense tactics (DT) while researching new and improved training methods. The DT program is implemented quarterly on a Region or District level allowing more flexibility for scheduling. In the 2010 third quarter, the DT staff will merge with the Firearms staff and provide scenario based training for all OLE officers and supervisors.

The OLE training section plans to provide a two day Advanced Interrogations class. Thirteen CPO's who have previously attended the Basic Interrogations class were selected to participate. Each officer is instructed to bring old and or current cases to be utilized during class. The officers will study, participate, and expand their interrogation skills utilizing "actual" case subject matter instead of fictitious matter.

The OLE training section is developing a comprehensive computer training program beginning with a "Computer 101" course for all CPOs. All officer skill levels were identified during the 101 course enabling the development and implementation of intermediate and advanced level courses. As the IDNR, along with other agencies, enter the "technical world" it is imperative that we develop the technical skill levels of our officers who will be required in the near future to participate in programs such as: Electronic Time Keeping, Electronic Tickets, Activity Reports, SharePoint, SOS Imaging, and valuable Investigative Programs available.

The OLE training section has developed a comprehensive Sonar Training Program. Selected Officers/Operators are assigned to a three year renewable term in the program.

- Side scan sonar operators are required to attend a minimum 16 hours classroom and practical "on water" instruction with certification pending written and practical tests for proficiency.
- Sector Scan operators are required an additional 8 hours of instruction as well a certification.

- Instructors attend an additional 8 hours of instruction and certification.
- Master Instructors (two) administer the sonar program for the OLE.
- Annual refresher training is required, as well as monthly documented training.

The OLE currently has 26 Hummingbird side scan sonars, 3 Kongsberg sector scan sonars and 2 Marine Sonic side scan sonars.

### **Outreach Training Programs:**

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 offers a very active Internship Program consisting of up to 48 internships per year. College students who wish to pursue a career in Law Enforcement/Natural Resources apply for an internship of up to 8 weeks where they ride with a Conservation Officer (CPO), watch, listen, ask questions, and participate in many of the duties of a CPO. These internships provide a wonderful learning experience to students who the IDNR OLE hope become future applicants.

The training section also works with many high school students who are trying to determine a career path. High school students from around the state upon request are scheduled to meet with a CPO or supervisor and are given an overview of the duties of a CPO as well as the mission of the IDNR and the Office of Law Enforcement.

The OLE training section attends numerous career fairs at colleges and high schools to educate students about the mission of the IDNR as well as the Office of Law Enforcement.

- **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 FY10, the office does project a deficit in its commodities line. However, the primary budget concern for FY10 is not so much the availability of funding but rather the source of that funding. The Office of Law Enforcement receives its appropriations from general revenue funds as well as

other State funds. While revenues for the other State funds are generated through fees, fines, etc., the general revenue fund receives its monies from income taxes, sales taxes, etc. Consequently, due the economic condition of the State, these monies are not coming into the State in the amount projected. This translates into the State having more invoices to be paid from general revenue than it has funds with which to pay. The result is that invoices to be paid from the general revenue fund are being held six months or longer until the State receives monies to be deposited into the general revenue fund. This lengthy delay in payment has caused many vendors to either refuse to do business with the State if they are being paid from general revenue funds, or they just refuse to do business with the State altogether regardless of the source of funds from which their invoice will be paid. This is making it extremely difficult to find vendors who can provide the goods and services needed by the OLE and who are willing to wait six months or longer for payment.

The OLE currently finds itself in a period where many of its senior officers are beginning to retire. The Office experienced the loss of five officers in FY09 and has lost or will lose that many in FY10. Current projections have identified as many as ten officers who have indicated they will retire or who are eligible to retire in FY11.

- **New Innovations:**

All field officers now have laptop computers. Each officer now has access to NCIC records and the State of Illinois' LEADS system via the IWIN program installed on the laptops.

The Office of Law Enforcement purchased a Report Beam software program for reporting boat accidents in Illinois. This program allows the officer to enter the report directly into the laptop, create a diagram of the accident and submit the report for approval electronically to his/her supervisor. Once approved by the supervisor and BLA, the report is automatically sent electronically to the United States Coast Guard as required by federal statute.

- **Legislation:**

The IDNR Office of Legal Counsel reports no significant legal challenges or court decisions in the past year that would impact the Office of Law Enforcement.

2010 has been a very active year in the Illinois Legislature for the Illinois Department of Natural Resources.

- The legislation with the greatest impact for Illinois Conservation Police has nothing to do with any of the natural resource laws, but instead deals with the Illinois Pension Code. Public Act 096-0889 removes several groups (including Illinois Conservation Police) from Illinois'

alternative pension formula. Under the alternative pension formula, current Illinois Conservation Police Officers are eligible to retire with a maximum of 80 percent of their pay if they are at least age 50 and have served a minimum of 25 years. Under Public Act 096-0889, all future Illinois Conservation Police Officers will be required to work until age 67 before they are eligible to retire with a maximum of 60 percent of their pay. New employees will receive a lower cost-of-living adjustment, and the law will also lower the cap on earnings that can accrue benefits. The new cap will be \$106,800, down from \$240,000. Since the Illinois State Police will remain in the alternative pension formula, this public act will be devastating to the future recruiting efforts for Illinois Conservation Police.

- On a more positive note, the Illinois Legislature passed legislation authorizing the Illinois Department of Natural Resources to charge a fee of up to \$1,000 before any person who has had their licenses or privileges suspended or revoked by the IDNR is eligible for reinstatement. The new reinstatement process and fee schedule will be detailed in administrative rules.

- **Equipment Issues:**

Over the past several years, the OLE's annual equipment budget has been reduced from \$900,000.00 to just under \$500,000.00. The majority of this budget goes towards replacing vehicles. We have been able to keep pace with vehicle replacements (primarily 4x4 pickup trucks) at around 140,000 miles. Officer headcount reductions and low prices for new vehicles have helped this effort.

There have been insufficient funds to address any replacements in a fleet of over 100 aging Jon boats and outboard motors. In recent years, funds have gone only far enough to replace a few of the outboard motors, and no boats have been replaced.

Dedicated funding from snowmobile licensing revenue allows OLE to purchase 3 new snowmobiles & trailers each year. Two Homeland Security boats being bought with federal grant funds are currently in the procurement process. One boat is a trailerable 25' aluminum cabin boat that will be equipped with high tech sonar equipment and used to inspect below water portions of bridges and locks & dams. It will also be available for under water search and recovery missions. The other grant boat is a 25 rigid hull cabin boat destined for patrolling and responding to incidents in the Mississippi River area around St. Louis. Other federal grants have allowed OLE to purchase some badly needed

binoculars, spotting scopes, search lights, range finders, side-scan sonars, and towfish transducers (for the 997 & 1197 side-scan sonar models).

- **Trends:**

Illinois Conservation Police Officers have detected various trends in Conservation Law Enforcement during the past 3 years. In the area of recreational boating enforcement, officers have seen a dramatic increase in enforcement activities. In 2009, officers issued 1,960 boating citations, which is an increase of 35% over 2007 totals. During this same time period, arrests for Operation While Under the Influence (OUI) increased by over 19%. In addition, officers issued 5,567 written warnings in 2009, which is an increase of 72% over 2007 totals. These increases came during a time of decreased state funding and a 3% decrease in boat registrations. Boating accidents decreased 5% between the years 2007 and 2009, but boating related fatalities showed a 92% increase, rising from 13 in 2007 to 25 in 2009.

In regards to Wildlife Enforcement, it is well documented hunter participation in small game hunting in Illinois has continually decreased during the past decade, which has resulted in a decrease in small game hunting violations. Along with the decrease in small game violations, we have documented a 52% decrease in dove hunting violations and a 20% decrease in waterfowl violations since 2007. With this said, big game hunting in Illinois, which includes deer and turkey hunting, took a big jump during the past decade according to IDNR indicators such as resident and non-resident permit sales, increases in the number of licensed outfitters, and increases in the hunter harvest numbers. While these numbers appear to have leveled off or remained steady the past three years, hunting violations such as fraudulent application for resident deer permits by non-residents, deer hunting over bait, and deer hunting by illegal methods continue to rise.

In the area of fishing enforcement, sport fishing license sales have increased in Illinois 5% since 2007, but officers continue to see an increase in citations for fishing violations such as fishing without a license and violating creel limits and size restrictions. This could possibly be attributed to the economy. If people are not working, they may turn to stress release activities such as fishing. With more people fishing, there are more opportunities for violations. Target Illinois Poachers Hotline calls for both hunting and fishing violations continue to fluctuate up and down from year to year, but average approximately 320 tips per year.

If the above trends continue, demands on Illinois Conservation Police will continue to rise for boating and fishing enforcement during the warm weather months and enforcement of big game regulations during the fall and winter months, with fewer officers to enforce these regulations.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2008 Agency Report**  
**State/Province: Indiana**  
**Submitted by: Col. Michael Crider**  
**Date: April 7, 2010**

- **Training Issues:**

Due to funding issues we have had to suspend our normal in-service training sessions. We are required to have 24 hours of continuing education so after some deliberation we have gone to internet delivered power-point presentations that address a variety of mandatory and optional training topics. These are usually 15 minutes in duration and we log the training time in our records management system for records keeping. If an officer completes the two trainings per week he/she will have 26 hours of training using this one method. When you add firearms training and Defensive Tactics we have easily met our training requirement and have saved fuel and staff time which was formerly needed to attend centralized training sessions.

- **Funding and Staffing Issues:**

We are struggling with funding issues as most states are. Currently we have one vacancy but will have 8 by Jan 1 and another 4 early next year. We may be forced to abandon our traditional military style recruit school and develop a more intense FTO program due to the costs involved with the traditional process. We are looking at options right now. There have been no improvements in funding, staffing or diversity as we are doing everything we can to maintain current staffing levels.

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

We continue to have good success with joint investigations with the USFWS. We are in the final stages of a major Ginseng investigation which should bring about regulation changes as a result of the rampant violations identified.

- **New Innovations in Conservation Law Enforcement :**

Nothing new comes to mind. We are leasing night vision equipment from the military and are having good success with the patrol rifles we acquired through the federal surplus program. We were able to acquire ACOG sights through that program also and have gotten a few set of binoculars as well.

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

We are still involved in litigation related to our closure of high-fenced hunting facilities. The judge recently ruled in our favor related to an enforced agreement and we are now on to the facts of the case. We are also in a struggle with the one coyote running facility that we are aware of here due to proposed rule making that would outlaw the practice of chasing in enclosures.

- **Cost Savings Initiatives:**

We are really pleased with the capabilities of the CODY RMS. In addition to the normal database stuff we are using the program to “cost hours” by applying a code to each work hour based on the funding source of the activity. Using this system we can account for each work hour by the funding source whether it is F&W, Boating and General Fund dollars. This will be very important as DNR and other agencies scramble to capture the ever decreasing pot of money that is available. LE will likely be a priority but not without some assurances that the effort is focused and efficient.

- **Other Special Law Enforcement Issues:**

We continue to be pulled into more DHS type exercises. These are good training and preparedness type activities however we don't have staff to dedicate the amount of time they ask for. We are doing our best to participate in the actual scenario but limit input into the development portion of an exercise. Like most resource agencies we have boats and other equipment which are valuable assets during a disaster so limiting our direct involvement is a constant struggle. I feel it is extremely important to meet our core mission to our sporting public and other users of our natural resources so I'm doing my best to limit mission drift. I'm sure other states are in the same position. At the same time as finances get tighter we are looking at all phases of our operation to ensure that we are spending the people's money as efficiently as possible. Like Wisconsin says we want to be “an investment of choice” where the public recognizes and embraces our value.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2009 Agency Report**  
**State/Province: Kansas**  
**Submitted by: Kevin W. Jones**  
**Date: 16 April 2010**

- **Training Issues:**

For the first time since the creation of the Department of Wildlife and Parks a joint in-service training program was conducted in March 2010. Formerly the Law Enforcement Division conducted training independently from the Parks Division and Public Lands Section. In an effort to better integrate the agency total law enforcement program, a joint training committee was created between all divisions and sections having law enforcement authority. This training format will allow standardization of enforcement practices across the department.

During in November 2009 the department deployed the M-4 modified AR-15 rifle as the standard secondary firearm. After review by the firearms instructors and administrative training staff, the recommendation was made to change from a 12 gauge shotgun and M-14 weapons systems. The new rifles are fitted with EO-tech holographic sights. While it was realized that the M-4 does not have the ability to totally replace both the shotgun and M-14 rifle, it is believed that the new rifle will meet the vast majority of law enforcement needs, particularly from the aspects of handling the firearms in close quarters and response situations, firepower capacity, and, anticipated bullet performance and potential collateral damage.

In recent years there has been an increase in the number of mandated training hours for specific law enforcement training. As some laws come under amendment, the legislature has seen fit to require annual training in the areas of domestic violence, racial profiling, sexual harassment and stalking. While this requirement keeps agency law enforcement officers abreast of these particular topics, the does limit the agency in budget and time to provide training more directly pertaining to wildlife and boating law enforcement.

Training in boating enforcement has increased over the past few years. During this past year officers received more intensive training in general patrol, tactical operations, vessel inspection, watercraft theft, accident investigation and other boating related courses.

A core group of officers have received advanced training in hunter incident investigations and are deployed to investigate hunting incidents involving weapons related personal injury or death.

- **Funding and Staffing Issues:**

The State of Kansas is experiencing budget revenue shortfalls within the State General Fund. While the Department receives only a small fraction of the total budget from these funds (the Law Enforcement Division is funded from license fees and boat registrations), the impacts to Department spending are being felt across the agency regardless of the funding source. At the time of this writing, the Legislature is in recess and the final work to address the budget is yet to be completed. The projections for the FY 2011 state budget anticipate a shortfall of around \$430 million. There are a number of significant potential actions that may be taken to balance the budget. Among them are decreases in employee salaries, furloughs, reductions in certain employee benefits and the elimination of positions. If employee salaries and benefits are affected, there is a potential that the number of retirements may increase, particularly if employees could retire before any changes would take effect.

At present the Division's revenue funding from licenses and registrations is remaining stable. Over the course of the past several years the annual revenue projections continually predict that a fee increase or other new revenue

generation will be necessary in two years. So far the Department has not seen the need for increases; however, planning is underway to develop fee and registration increase strategies in case the need for additional revenue becomes a reality.

Eight years ago former Governor Kathleen Sebelius implemented a minimum mileage requirement of 140,000 miles on all state owned trucks, excluding trucks operated by the Kansas Highway Patrol. Since that time the replacement of trucks has been a critical issue in maintaining an effective law enforcement presence in the field. During the budget cycles the Legislature has on occasion either prohibited the purchase of replacement vehicles or required that any purchase of vehicles would come from normal operation and maintenance budgets and not from the requested allocation for vehicle replacement. During this fiscal year the purchase of vehicles was authorized, but no specific allocation was made to the agency budget. The Division was able to purchase ten new trucks primarily with funding from restitution and FEMA reimbursement funds. The prospect for obtaining replacement vehicles in FY 2011 does not look good. Additionally, the reliability of emergency response vehicles with 140,000 to 170,000 miles of service comes into question. So far vehicle safety and reliability have not swayed the decision to hold to the established minimum mileage. Neither have the arguments that out of pocket costs for replacement and maintenance are less for a truck fleet with fewer miles (this is part of the justification for the KHP being able to replace trucks with far fewer miles).

Currently Kansas does not require boats to be titled. During the last legislative session a bill was introduced that would create a boat titling act. Funds derived from the act were to be channeled through the Kansas Division of Motor Vehicles, the same agency that handles motor vehicle titling. The language of the proposed act has caused concern that registration fees that currently fund the entire boating safety and enforcement program may be diverted to the Division of Motor Vehicles. While the current bill appears to be inactive, the Department will be attempting to refine the bill to address not only the funding issues, but other aspects of the bill for possible future action.

Diversification of the workforce continues to be a challenge. Few women and minorities apply for position vacancies. Current efforts to encourage higher participation in the application and hiring process have not produced any significant results.

An agreement to develop a pay plan to reward bilingual officers was included in the last meet and confer agreement with the officers' bargaining unit. Officers selected would receive \$600 per year. The underlying belief is that through this program bilingual officers would be able to develop better relations and outreach to constituents with limited English proficiency. At the time of this writing, the implementation process is nearly complete. In order to fully

implement the program it is necessary to receive an executive order from the Governor. The current state budget situation leaves some concern as to whether funding will be approved.

- **Trends:**

For the sixth year the Division will participate in the Under-age Drinking Prevention program, administered by the Kansas Department of Transportation. The reimbursement grant program is focused to pay officers at the overtime salary rate for patrol activity and enforcement of under-age drinking laws. Department managed wildlife areas and state fishing lakes are notorious areas for high school and college parties during the spring.

Emphasis continues in the area of Emergency Management. The primary focus of these efforts is with natural disasters, such as tornadoes and floods, and foreign animal disease control. During the past year agency officers were involved with local disaster rescue and recovery efforts and exercises involving stop shipment actions with the cattle industry. Although the Department, particularly the Law Enforcement Division, is very involved with emergency management training and actions, to date all grant applications for equipment funding have been declined and the agency has not received any federal grant money for equipment or materials.

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

Kansas continues to provide assistance in investigations and other enforcement efforts to protect and conserve our natural resources. At present a major case under joint investigation with the U.S. Fish and Wildlife Service, involving defendants from Texas and Louisiana, is entering the indictment stage. Over the course of the investigation approximately 120 large whitetail and mule deer heads have been seized.

Deer poaching continues to be a significant problem in Kansas. During the past year several cases were made in conjunction with our neighboring states. The assistance of officers from other jurisdictions has always been very professional and extremely helpful.

- **New Innovations in Conservation Law Enforcement:**

During the past year the Kansas Law Enforcement Reports system (KLER) has been integrated within the Department law enforcement program. The new law enforcement information management system was developed by the Kansas Highway Patrol. This computer system interfaces a variety of data collection forms, generated by the Department and other law enforcement records management agencies, to enable data collection and reporting in compliance with a statewide standard set of business rules. Through the KLER program, collection, tracking and recovery of enforcement information should improve. In order to make the most effective use of KLER the number of officers equipped with dedicated mobile data terminals has increased. Not all officers

were provided with MDT's during this pilot and development stage. Once the program is fully integrated all officers will have a dedicated mobile data terminal in addition to their laptop computer and air card.

The Division has acquired dedicated web cameras for surveillance work. This technology has been used in several cases with great success. Once installed the cameras give exceptional recorded coverage of activity that would be impossible to collect by officer on-site observation.

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

Although several bills were introduced into the Legislature during the past session that effected the Department, very few made any progress aside from a committee hearing. Among the various proposals, some the more notable bills included:

- A bill striking the qualifications required for the Department Secretary position. Currently the law requires a degree and experience in natural resources or a related field. The proposed legislation would allow any person, regardless of experience or education, to be selected by the Governor. This bill died in committee.
- A bill changing the qualification limitations to become a law enforcement officer. The proposal would remove felony convictions occurring before the person's 21<sup>st</sup> birthday from being considered. This bill died in committee.
- A bill allowing the issuance of electronic citations or notices to appear. This applies to the issuance of traffic citations and related court records. This passed the legislature and was signed by the Governor. While this does not currently effect the Department, it is anticipated that this format of issuing tickets could cause the Department to seek statutory changes in the future.
- A bill allowing voters to decide whether the Kansas Constitution should be amended was passed by the legislature. This amendment would change the right to possess firearms from a collective right of all citizens to an individual right. This proposal will be brought before the citizens of Kansas for a vote this fall.
- A bill exempting non-resident hunters under the age of 16 from being required to purchase a hunting license. No action was taken on this bill.
- A bill that would change the retirement system for Department law enforcement officers from the general state retirement program to the program for police and firefighters saw no action.

- **Cost Saving Initiatives:**

The economic conditions facing the State as a whole have fostered consideration of cost savings within all agencies. The reduction of printing and paper records are among the initiatives started by former Governor Sebelius and continue today. The State is implementing a new electronic accounting and time keeping system for all agencies. It is intended to eliminate the need for paper purchase documents and budget reports, speed processing time and increase efficiency.

- **Other Special Law Enforcement Issues:**

Over the course of the past year a number of items have been brought before the Commission for regulatory action. Some of the more prominent issues before the Commission are:

- A regulatory change is proposed which would allow the carry of firearms during a weapon specific season, such as the archery-only season for deer. Much of the discussion has focused on limiting the carry of firearms to persons licensed by the state to carry concealed firearms; however, there was limited discussion on the general allowance of carrying handguns. Further discussion and action is pending at the time of this writing.
- Two years ago the Kansas legislature repealed a statutory provision which prohibited the possession of firearm silencers or sound suppression devices. Since the State now allows the possession of these devices by people holding federal firearms licenses, the proposal has been made to allow their use for hunting. Further discussion and action is pending at the time of this writing.
- After a beagle was killed in a trap set on Department managed lands, a discussion ensued over whether trapping should be allowed on public wildlife areas. Currently no changes are anticipated.
- A change to the big game regulations has been enacted that will allow the Department to require digital photo registration of harvested deer. The pilot project is aimed at providing hunters with a means to meet CWD transport requirements and will initially focus on deer taken on antlerless-only permits. The system will provide a means for hunters to register their kill on-line and file digital photographs of their deer and dated carcass tag prior to transporting the carcass out of state.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2008 Agency Report**  
**State/Province: Kentucky**  
**Submitted by: Colonel Robert Milligan**  
**Date: April 20, 2010**

- **Training Issues:**

We have added a precision boat handling component to our Emergency Vessel Operation Course (EVOC).

We are in the process of gathering information on best “Game Warden” practices that were used in the past to catch violators. This information will be presented to our officers during in-service training and incorporated into our LE Academy Recruit training.

- **Funding and Staffing Issues:**

Our division has received funding from the American Recovery Act (stimulus) Grant to purchase a new communication control system to which we will add a Computer Aided Dispatch System (CAD).

Mobile Data Terminals will be purchased using funds from the Coast Guard Port Security Grant. These purchases will augment machines purchased with agency funds and will enable us to equip all officers in the division.

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

Our Internet Investigations Unit, in conjunction with several other contiguous states is conducting an investigation into individuals who purchase resident licenses in multiple states.

Our Covert Unit has worked with Wisconsin DNR and Colorado Fish and Game on investigations that have yielded significant results.

- **New Innovations in Conservation Law Enforcement:**

We have formed a Boating Accident Investigative Team that will respond to and investigate major accidents. Team members will also be available to assist other officers at accident scenes.

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

While not a challenge to our LE authority, our Legislative General Assembly has pass a bill, during the 2010 session, that allows hunters to carry any weapon, while hunting, regardless of season.

- **Other Special Law Enforcement Issues:**

Each of our 9 LE Districts now have a full-time Public Affairs Officer who has attended a 40 hour Public Affairs Officer course that was hosted by the Kentucky State Police. The course is certified by the Kentucky Law Enforcement Council.

We have formed 2 Emergency Response Teams (East and West) whose members will respond to natural or man made incidents. These teams are lead by a District Captain and are divided into squads. Each team has assigned a 20ft trailer (air conditioner/heater equipped, generator, radio battery charger) that is equipped with supplies to enable the members to self-sufficient for up to 7 days. Each squad has two (2) john boats and each team member has a “ready pack” that will allow for immediate response.



**Association of Midwest Fish and Game Law Enforcement Officers  
2010 Agency Report  
Manitoba Conservation  
Operations Division  
Compliance and Field Services  
Colin Merritt  
July 2010**

- **Training Issues**

The Division sent 6 new recruits again this year to the Western Conservation Law Enforcement Academy in Hinton, Alberta. The academy is a joint venture between Manitoba, Saskatchewan, Alberta, British Columbia and the Yukon. Each agency supplies instructors and equipment and split the costs for 16 weeks of intensive training in conservation law enforcement.

After several years of out-sourcing seasonal officer training the Division conducted in-house training using officer instructors. This year 36 new seasonal officers were put through the 10 day training course.

Adhering to the Federal requirements for Small Vessel Operating Proficiency training for Natural Resource Officers and other Division staff continues to be a challenge due to a lack of approved courses and the course content itself.

Transition from the previously issued model 22 Glock 40 cal. sidearm to the newly issued model 226 Sig Sauer 9mm went smoothly. The transition to the new sidearm was required due to problems with cracking frames on the Glock reducing their accuracy. Most officers like the new sidearm and very few had any difficulties qualifying.

A new shoulder patch was created for use strictly on Natural Resource Officer uniforms. As well, the colour of the NRO uniform shirt was changed from khaki to a dark green to match the trousers. This was done for officer safety reasons to differentiate between full time armed NRO's and seasonal un-armed Park Patrol and Assistant Resource Officers. Previously the uniform for the three different officers was identical except for an officer designation patch.

- **Funding and Staffing Issues**

The trend in budget reductions continued again this year with the Division being reduced by 3.1% and an overall reduction of 5.4% to the Department.

Due to provincial budget constraints, a high level of staff vacancies must be maintained causing difficulties in hiring new Natural Resource Officers and other staff throughout the division.

District operating budgets for problem wildlife were completely eliminated but not the job function. This has led to considerable challenges for numerous districts. Some proposals on the table to deal with this lack of operating funds include allowing unlicensed hunting of beaver, raccoon, coyote and wolf in southern Manitoba to complete de-regulation of the problem species.

Business line reorganization continues with the removal of Natural Resource Officers from the park management/operation roles. To date, 20 Natural Resource Officer positions have been converted to park management/operation specific positions. These include Regional Park Superintendents, Chief, Park Operations, District Park Supervisors and Park Operations Managers. Natural Resource Officers are still responsible for the enforcement within provincial parks. This has been accomplished through vacancies and attrition with no officers being forced into park positions although many chose to go that route.

The Divisions regional structure was recently reorganized by the executive. The regional managers for Wildlife, Forestry and Crown Lands now report directly to the Branch in Headquarters instead of to the Regional Director. In addition, the Assistant Regional Director positions have been downgraded to Superintendent of Fire and Enforcement. The responsibility for park management and operations has been given directly to the Regional Director. This was done without consultation with the directors and branches and it has so far caused angst and confusion.

The seasonal Assistant Resource Officer program has been cut down from a 32/44 week summer/fall program to just a 16 week summer park enforcement program. This has eliminated the fall mentorship program that was used by the seasonal officer to gain much needed wildlife and fisheries enforcement experience.

The trend of having a lack of qualified applicants for all positions from Park Patrol Officers to Regional Superintendents and almost every position in between continues. This has created huge problems with filling vacancies by either lateral transfers or promotion leaving some positions vacant for long periods of time and to the closure of some district offices altogether.

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

The Province is still struggling with developing and implementing policy and direction in regards to the 2003 Supreme Court of Canada Metis decision in *R. v. Powley* and the 2009 Provincial Court of Manitoba Metis decision in *R. v. Goodon*. Very little progress has been made in the last few years to resolve the issue of recognizing who has a Metis right to harvest in Manitoba or where those rights may be exercised. This has caused considerable issues between officers and people who are attempting to exercise a right they believe they have.

- **Cost Savings Initiatives**

The Division recently entered into an agreement with the Manitoba Natural Resource Officer's Association to add a second canine officer to the ranks. The Association agreed to purchase the dog and pay the upkeep expenses. The Division will supply the officer and required equipment. The new officer and dog are currently undergoing training conducted by our existing canine officer.



**Michigan Department of Natural Resources and Environment**

**Law Enforcement Division**

AMFGLEO Annual Agency Report

June 2010

- **Training Issues:**

- **Survival Tactics Training**

The Michigan Department of Natural Resources and Environment (DNRE) Law Enforcement Division (LED) Survival Tactics Training Program, (or ST as it is known throughout the DNRE), was revised to our current program in 1999.

The comprehensive training program has been developed to maintain an officer's tactical skills and survival thinking. The training includes classroom lectures, hands-on conditioned response training, as well as scenario training. Conservation officers are evaluated a minimum of once a year on their survival tactics skills. The focus of the program is to train and develop the officer to react to a threat through proper conditioned response training, while still maintaining appropriate conformance to the use of force continuum, and department policy. The division has implemented a TASER pilot program. Officers can carry the TASER in addition to the existing intermediate weapons, the ASP collapsible baton and the chemical irritant spray. Currently, there are 35 TASERS in service, issued to Survival Tactics instructors throughout the state. Thirty more TASERS will be issued to conservation officers so that additional analysis of the program can be assessed. Since issued, there have been successful deployments, assisting with officer safety and subject control.

- **Firearm Tactics Training**

In addition to our division's firearms training program, we've been training to the new Michigan Commission on Law Enforcement Standards (MCOLES) Active Duty Firearms Standard. This standard consists of two major components: knowledge and skills.

Upon completion, officers will be able to:

- Demonstrate an understanding of the use of deadly force.
- Properly assess a life threatening situation.
- Employ sound tactics during a response to a life threatening situation.
- Appropriately discharge a firearm in a life threatening situation.
- Comply with departmental policies in situations involving deadly force.
- Demonstrate an understanding of the Law Enforcement Officer Safety Act of 2004.
- Demonstrate an understanding of Michigan's Carry Concealed Laws.

- Demonstrate proficiency on the MCOLES Course of Fire for active duty law enforcement officers.

A tactical firearms training course is scheduled for October 2010. This training will be the fourth event conducted by our agency due to funding from a Michigan Commission on Law Enforcement Standards (MCOLES) grant award. The training consists of:

- Long range target acquisition, identification, and engagement.
- Simulations training specific to conservation officers.
- Ammunitions capabilities specific to our issued ammunition and firearms.
- Live fire tactical shoot.

### **Interview and Interrogation**

Conservation officers, often working alone in remote areas, are challenged with conducting field investigations and interviews. Due to the many program areas that conservation officers focus their enforcement efforts on, such as hunting, fishing, marine, ORV and snowmobile safety, and public land usage, officers often encounter multiple subjects. These subjects, at times, are involved in the same criminal act, working together in concert. Multiple subjects have to be separated and interviewed on site. Learning interview and interrogation techniques will assist with officer safety and preparation for successful criminal prosecutions. A three day basic course, followed by a one day advanced course, was conducted in March of 2009. This training was also primarily funded through a Michigan Commission on Law Enforcement Standards (MCOLES) competitive grant award. There were 51 conservation officers from our division, and 7 officers from other agencies that attended this training. The training was presented by John E. Reid & Associates, Inc., and was tailored to our agency by offering a fish & wildlife theme. The training provided useful and necessary techniques for conservation officers to assist with crime detection and offender prosecution. Learning the differences in verbal and nonverbal behavior between innocent and deceptive subjects will help officers determine whether or not a suspect is telling the truth. This training, through instruction, video, and handouts, helped officers learn how to observe and assess critical behavior symptoms.

### **Tactical Tracking**

Conservation officers are faced with having to track and locate fleeing subjects, lost hunters or other missing persons, and assist other agencies with similar situations. Due to the many program areas that conservation officers focus their enforcement efforts on, such as hunting, fishing, marine, ORV and snowmobile safety, and public land usage, officers work in all kinds of weather conditions and varied topography. In addition, our officers are issued and trained on many types of conveyances designed to be operated in these environments. Many agencies request our assistance, due in part to our patrol vehicles, such as 4-

wheel drive trucks, ORVs, ATVs, dirt bikes, canoes, kayaks, snowmobiles, PWCs, inland boats and great lakes vessels. Other equipment carried by or available to our officers that have assisted in searches includes handheld GPS units, night vision, spotting scopes, and thermal imaging units. A tactical tracking course provided by Tactical Tracking Operations School, Inc. was hosted by our agency in August of 2009. Our agency provided three instructor assistants for this training in addition to 22 of our own officers as attendees. There were also two outside agency participants.

### **First Aid Training**

This year, in addition to our ongoing program, conservation officers will receive a course in Wilderness First Aid. This course is designed to introduce the officers to the concepts of medical care in a wilderness setting. There is a focus on Basic Life Support skills, minor trauma and selected environmental topics, the spine assessment and ruling out process, and allergic & toxic reactions. Some of the topics included are wound cleaning, stable & unstable musculoskeletal injuries, splinting, hypothermia, heat related problems, near drowning, and wilderness toxins.

- **Funding and Staffing Issues:**

The current fiscal year continues a decade long trend of cutbacks and reduced budgets. While license sales have flattened out, general tax revenues continue to decline, leading to cutbacks in the DNRE Law Enforcement Division budget.

- **Major Conservation Law Enforcement Trends:**

#### **Special Investigations Unit**

Cooperation with other agencies has continued to grow in importance particularly with the drop in manpower the Law Enforcement Division (LED) has experienced. An example of this is intelligence that was shared on a suspect recently adjudicated on charges brought by the Special Investigations Unit (SIU). Both U.S. Coast Guard and Customs and Border Protection have expressed an interest in this subject who is expected to continue to violate various state and federal laws which will likely include border crossing violations. A protocol has been set in place for local conservation officers to be notified if these agencies locate the suspect engaged in activities that are in violation of a court order.

#### **Commercial Fish Unit**

With fewer officers in the field, logistics and assets have become more challenging. Other agencies that have been able to provide assistance in the past have been limited in the type of assistance they can provide due to budget restrictions and fewer officers in the field. They are facing the same challenge of doing more with less; therefore, there is a growing frequency of interagency cooperation. An example of this is an ongoing case with Wisconsin involving illegal commercial fishing in Michigan waters. The U.S. Coast Guard, U.S. Fish and Wildlife and Wisconsin agencies have worked together throughout the investigation.

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

- **Special Investigations Unit**

- SIU continues to assist numerous states and Canadian provinces every year with the investigation of wildlife crimes committed by Michigan residents in other jurisdictions. A recent example of this was a search warrant executed by SIU detectives resulting in the seizure of a bear hide and skull which was taken illegally in Montana by a Michigan resident.

- **Commercial Fish Unit**

- The CFU has provided information and assistance to Great Lakes states and Ontario, Canada in marketing fish and prohibited live species. Specialists provide assistance to the U.S. Border Patrol and are part of the Emergency Response plan with Homeland Security.

- **New Innovations in Conservation Law Enforcement**

- Michigan DNRE continues to research and test GIS applications, GPS equipment and electronic mapping. Many new technologies have entered the market that provide conservation officers with innovative location tools that provide greater officer safety and ability to enhance protection of natural resources. The number of cases generated from internet sources has continued to increase in areas ranging from unlicensed fishing and hunting charters to the illegal sale of game and fish. Investigators have been forced to keep pace with this added facet which has increased the overall workload.

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

- **Michigan Medical Marijuana Act**

- In November, Michigan voters passed the Michigan Medical Marijuana Act, listed on the ballot as Proposal 1. The Act allows certain persons to use marijuana for medical purposes and allows those persons and their caregivers to possess up to 2.5 ounces or 12 plants of marijuana (plants must be maintained in a closed, locked facility). Caregivers may assist up to five patients, and may possess enough marijuana for those patients (e.g., 24 plants for 2 patients). In order to lawfully use or possess marijuana, patients and their caregivers must be registered with the Michigan Department of Community Health (MDCH) and possess identification cards issued by the MDCH. The MDCH is currently in the process of promulgating rules for registration; they have until April 4, 2009 under the Act.

- **Limitations under the Act:**

- The Act prohibits the following:

- 1. Smoking marijuana in public

2. Possession of marijuana at schools or correctional facilities
3. Operating a vehicle while under the influence of marijuana
4. Making a fraudulent claim of medical use or possession to law enforcement to avoid prosecution
5. Selling marijuana to someone other than a qualified patient

**Effect on Law Enforcement:**

Conservation Officers may come in contact with persons possessing a medical marijuana identification card in state game areas and recreation areas or while camping. These areas are public places, but there are places within these areas that a person may have a reasonable expectation of privacy, such as campers and tents. The prohibition under the act from smoking in public as it pertains to campers and tents on state land is being reviewed. If a person is found in possession of marijuana, they must possess an identification card or they may be arrested.

**Open Carry of Firearms**

There is no specific law in Michigan prohibiting the open carry of firearms by private citizens. There are, however, laws that restrict possession of firearms on certain premises, at certain times and under certain circumstances. MCL 750.234d restricts the open carry on certain premises', with exceptions. MCL 750.234o restricts the concealed carry on certain premises'. So, subject to MCL 750.234d, it is legal to carry a visible pistol in public. Under the Natural Resource and Environmental Protection Act of 1994, MCL 324.43510 restricts the possession of a firearm and other implements of hunting in any area frequented by wild animals unless that person has a valid hunting license. Wildlife Conservation Order (WCO) 2.1(3) restricts the possession of certain firearms and ammunition afield during the five days immediately preceding the firearm deer season opener. And, WCO 3.101 restricts a person from possessing a firearm during archery deer season while archery hunting unless the person is licensed to hunt deer with a firearm and that season is also open. Recently members of the public have been questioning the constitutionality of the wildlife conservation laws as it pertains to: The Constitution of the State of Michigan of 1963, Article 1, Section 6, which states: Every person has a right to keep and bear arms for the defense of himself and the state. At this time there have not been any formal challenges.

- **Cost Savings Initiatives:**

Due to budget cuts, the Michigan DNRE was forced to implement mileage restrictions for the first time in many years. Other cost savings initiative included delaying equipment replacements and filling vacancies.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2009 Agency Report**  
**State/Province: Missouri**  
**Submitted by: Larry Yamnitz, Protection Division Chief**  
**Date: 7 June 2010**

- **Training Issues:**

The Missouri Department of Conservation sent ten conservation agents to swiftwater rescue training this past year. Swiftwater emergency calls have increased in this state over the past few years and with Missouri conservation agents patrolling streams, we felt it was essential for the agents to be prepared to respond rapidly and effectively to swiftwater emergencies without sacrificing their safety. The training consisted of using specialized gear in water exercises, practicing with rescue craft, and reacting to swiftwater emergency situations. In summer of 2010, a conservation agent and a district supervisor will attend an advanced course in swiftwater rescue to be held in Colorado. The training they receive in Colorado will be shared with others upon their return.

This last year, we were 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 rifles on their own they may carry while working. We have developed a rifle training program which all agents have received.

- **Funding and Staffing Issues:**

March 31, 2010 marked the end of the first three quarters of Fiscal Year 2010 for our Department. Total revenues were down 8.3% or \$10.5 million when compared to the first three quarters of FY09. The mid-year estimate anticipates total Fiscal Year 2010 revenues will be 7.3% or \$12.4 million lower by the end of Fiscal Year 2010. With this in mind, all Divisions within the Department of Conservation were asked to reduce expenditures.

Due to the slow economy and revenue shortfalls, no pay increases have been approved for the next budget cycle. In addition, any vacancies that occur are on a sixty day hold before they can be filled. We are presently in the process of filling seven district supervisor positions that were vacated due to retirements and have requested in next year's budget an agent training academy class of fourteen trainees.

- **Major Conservation Law Enforcement Trends:**

In 2009, Missouri's Operation Game Thief Program (OGT) received 1,022 violation reports which resulted in 367 arrests. Most arrests were for deer violations (201) with turkey violation citations totaling fourteen. We continue to improve the OGT reporting system and are looking at a web reporting system

where those who receive the OGT calls can send the information to the agents via a more user friendly web based system.

As part of the OGT program, we have a cargo trailer full of OGT material that converts to an exhibit. The trailer is utilized at special events such as fairs to promote the program and has been in operation since 2005. This past year the trailer was used at seventeen events.

During the last deer season, 214,928 pounds of venison were donated to Missouri's Share the Harvest Program. A total of 4,450 hunters participate in the program. In light of the current economic down turn, this program provides a quality protein source at a time when food pantries are in the most need. Conservation staff in addition to our program partner the Conservation Federation of Missouri are continually working on securing funding for this valuable program.

In 2009, Missouri conservation agents started an investigation into one of the Share the Harvest Program's deer processors. After an illegal sale of deer meat by the deer processor to a covert agent, Conservation Agents Jerid Wilkinson, Travis McLain, and Andy Barnes conducted an investigation and search of the processor. During the investigation the deer processor admitted to selling deer meat to the covert agent. Furthermore, the processor admitted to taking deer meat donated for the Share the Harvest Program and selling it to others. The processor also admitted to selling deer meat belonging to hunters who had not picked up their deer. In addition to the illegal sale of deer meat, the processor attempted to receive payment for processing from the Conservation Federation of Missouri in addition to money received from local food pantries for deer that did not enter the Share the Harvest Program. Due to the investigation, the processor pled guilty in court to selling wildlife illegally and to a stealing charge for receiving money from local charities meant to supplement the Share the Harvest Program reimbursement money.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts:**  
Conservation Agents Gary Miller, Shannon Smith, and Marsha Jones along with District Supervisor Lynn McClamroch and USFWS Agent Dan Burleson were involved in an investigation of some young men who were driving around for a couple of months using everything from turkeys and deer to eagles as targets. Agent Miller started the investigation and enough evidence was gathered to file several charges in three counties along with Federal charges on the raptors, including three eagles. This all happened over a year ago and finally indictments were handed down on four individuals by the Federal Grand Jury. The four individuals turned themselves over to the U.S. Marshals.

Across the State of Missouri there are several drug task forces that operate within their area of jurisdiction to combat drugs. On many occasions these drug task force teams provide the Conservation Department with wildlife violation information on subjects they are investigating. An example of this cooperation

occurred when Missouri Conservation Agent John Cook received information from the Mineral Area Drug Task Force that deer hair and a fresh deer head was in the subject's house. Since there was a search warrant being prepared for the subject's property, Agent Cook contacted the local prosecutor and had "wildlife and parts thereof" added to the warrant. The search of the property yielded two illegally taken deer. This was the second time this year the man was arrested by Agent Cook. Earlier in the year Agent Cook caught him trespassing on a local farm.

- **New Innovations in Conservation Law Enforcement:**  
We have issued smartphones to approximately half of the conservation agents in the field. These smartphones have proved to be very useful to the agents in receiving timely e-mail information. In addition, we are in the process of enabling these phones to electronically check hunting and fishing permit information. These smartphones will also serve as the conservation agents' voice communication tool to the public.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement:**  
Due to the national attention that hound running pens have received this past year, Missouri conservation agents conducted inspections of hound running area operators within their assigned districts. Forty-two hound running area operator permits/facilities were inspected in thirty-four counties. During these inspections, records were reviewed and when operators showed the purchase of coyotes or foxes a follow up to the supplier (trapper) was done to verify the transaction. These inspections are essential in our work to keep commercial permittees in compliance.

The topic of concealed carry during archery hunting seasons has surfaced in Missouri and appears to be a discussion item in other states as well. The proponents of this feel they have had special training and should be allowed to have their concealed carry firearms with them while they are archery hunting deer and turkey. Since our present regulations do not allow this, we have proposed new regulations that will allow concealed carry permittees to have their permitted firearm on their person. The regulation will also allow qualified law enforcement officers to carry their concealed off-duty firearms. The new regulation will not allow the use of concealed carry firearms for hunting.

- **Cost Savings Initiatives:**  
In an effort to improve the work effectiveness of conservation agents, a volunteer program was implemented in Protection Division several years ago. This year the program reached a milestone when one of the volunteers reached 1,000 hours of service. Since the program began in 2004, Protection volunteers have donated more than 16,000 hours of service to the Missouri Department of Conservation. Volunteers help conservation agents and other staff with a

variety of work, including riding with agents during enforcement patrols, outreach and education efforts, training, and fish and wildlife management.

- **Other Special Law Enforcement Issues:**

Missouri was recently added to the list of states where chronic wasting disease (CWD) has been found after the Missouri Department of Agriculture (MDA) reported the state's first and only known case of CWD in late February. It came from a captive whitetail buck at a private hunting ranch in Linn County. The MDA handles CWD testing in captive deer in Missouri. The MDA then tested an additional 50 captive deer from the ranch. Results showed no additional cases of CWD. In response to this initial case, the Missouri Department of Conservation (MDC) collected tissue samples for testing from 153 free-ranging deer within a five-mile radius of the private hunting ranch. MDC also included 72 samples collected from hunter-harvested deer taken from Linn and surrounding counties during the 2009-2010 deer seasons. The test results were negative for CWD indicating that Missouri's free-ranging deer population remains free of CWD. MDC relied on the cooperation and support from more than 120 area landowners and sportsmen involved in harvesting deer to obtain the samples. The deer did not go to waste as approximately 5,000 pounds of processed venison were donated to the Share the Harvest program. The Department of Conservation will continue its ongoing CWD monitoring efforts.



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

**Submitted by Ted Blume  
Administrator, Law Enforcement Division  
Nebraska Game and Parks Commission  
June 1, 2010**



- **Agency Overview:**

As with many agencies during these challenging economic times, the Nebraska Game and Parks Commission is undergoing some internal scrutiny and adjustments to accommodate decreasing budgets and increasing workloads. In this vein the Law Enforcement Division has been providing strong support for the development and implementation of the new agency hunter and angler recruitment, development and retention program (RDR), and the new Open Fields and Waters (OFW) program (contracting more private ground to be open to the public for hunting and fishing) while endeavoring to provide quality response to conservation law enforcement issues and priorities with a decreasing staff resulting from funding cuts. Some of our specific accomplishments over

the past year presented in the standard Association of Fish and Wildlife Agencies report format:

- **Training Issues:**

To enhance training relative to delivery of the RDR program 10 Conservation Officers attended the train-the-trainer Focus on Forever outdoor skills training session for three days in July. This program was geared toward training outdoor skills instructors targeted at youth education and was a cooperative effort among Pheasants Forever, Quail Forever and the Nebraska Game and Parks

Commission in support of the “No Child Left Indoors” initiative. Training topics included Advanced Mentor Training; Developing Young Conservation Leaders; Dog Training and Care for Youth; Schoolyard Habitat Projects; and Teaching Marksmanship Skills to Kids among others. All officers who attended were pleased and impressed with the quality of training they received.

Law enforcement ATV operation training was provided in every district to officers assigned ATVs and those who might have occasion to use them. Certified Conservation Officer trainers also provided training to Nebraska Law Enforcement Training Center Basic Course cadets in game laws, routine and high risk vehicle stops, law enforcement emergency vehicle operation, search and seizure, and firearms use.

The division is also making a transition to incorporate the Krav Maga defensive tactics skills, in combination with our long-standing PPCT training regimen, to give officers a wider variety of techniques to utilize in non-lethal use-of-force situations. We had four officers certified as Krav Maga instructors in June of 2009. Initial KM training has been presented to a volunteer test group as well as 3 districts as of May 2010. All remaining officers will be exposed to the new defensive tactics concept in the near future. The Nebraska State Patrol SWAT Team has also expressed interest in receiving Krav Maga training from our certified instructors.

Nebraska Conservation Officers are constantly providing and taking part in local training:

- An example this summer was participation of District 5 COs in joint training with local sheriffs’ departments in river rescue training on the lower Platte River utilizing our airboats assigned to that portion of the river.
- Three District Law Enforcement Supervisors attended a “Human/Large Carnivore Conflicts – Dealing with the Media and Public” workshop in Sheridan, Wyoming, last summer. The training was excellent and has better equipped those supervisors to deal with the increasing number of mountain lion complaints and incidents statewide.

- District 1 officers provided Game Law training to the US Park Service at Agate Fossil Bed National Park, and they received training in zebra mussel and quagga mussel identification and eradication.
- Boating under the influence, boat accident investigation and stolen boat investigation training was provided by Conservation Officers and partners from other law enforcement agencies in the eastern two districts for South Dakota Game Fish and Parks, the US Army Corps of Engineers and sheriff departments in District 3; with 15 agencies and over 60 officers attending the training in District 5. The District 5 training resulted in establishment of a Boating Accident Response Team with representatives of all Omaha to Lincoln area sheriff departments and the Game and Parks Commission to respond to serious boat accidents regardless of jurisdiction.
- Three officers from District 4 attended the Nebraska Law Enforcement Intelligence Network conference and training. We have been active in this valuable information sharing and training forum from its inception nearly 20 years ago.

- **Funding and Staffing Issues:**

The Law Enforcement Division lost 3 vacant officer positions in this biennium budget beginning July 1, 2009, and we have 8 other officer vacancies, 2 due to untimely deaths of officers (one age 54, one 49), and 1 open staff position that have been left unfilled due to funding shortfalls. The agency is in the midst of reviewing cost-cutting and consolidation of operations and administration. This very likely will result in redefining some duties for Conservation Officers to include more education and outreach as well as expanded wildlife management duties.

We have implemented a wide variety of money-saving efforts and projects including purchase of 8 bicycles (mountain bikes) to save fuel for patrol on park and recreation areas as well as wildlife areas and around lakes and reservoirs. They have been very successful and effective and have generated a considerable amount of positive public comment. Implementation of three on/off road motorcycles for similar expanded patrol options and fuel savings this year have met with similar positive results during their first season of use.

The directive to all officers to plan patrols and respond to complaints in a prioritized manner is still in effect. Purchase of large equipment items such as boats has been curtailed substantially. We were able to acquire a 22 foot heavy-weather-capable walk-around cabin boat with LETPP federal funds to augment our fleet for protection of large dams in western Nebraska and general boating/fishing law enforcement operations.

- **Trends:**

Conservation Officer support for priority agency programs such as hunter and angler recruitment, development and retention (RDR) has continued to expand with their involvement in the planning process for most of the RDR Action

Items and assistance with their implementation. Several action items such as expanded outdoor expos are well underway with strong officer presence at each – the agency currently hosts 4 outdoor expos annually. Other RDR action items are in process of development and will rely on active involvement by COs for support and implementation. In 2009 Conservation Officers presented or assisted with 1,999 programs on all facets of the agency operation.

Another new agency program – Open Fields and Waters (OFW) – is focused on contracting additional private lands for public hunting and fishing access. 2009 was the first year. Conservation Officers were among the most involved employees in signing contracts and posting lands enrolled in the program. For examples, District 5 officers signed 59 contracts alone and District 3 officers made 306 landowner contacts in support of the program. The sign-up for 2010 contracts is underway at this time and we hope for an expansion in interest due to the spread of program awareness and success. Conservation Officers have served as the primary “go-to” people in seeking out new lands to enroll in the program.

As a result of officer support of these priority efforts to enhance participation in hunting and angling, law enforcement time and focus have been somewhat curtailed, but there have been unexpected benefits to law enforcement effectiveness as well. The focused contacts for RDR and OFW have produced many new quality contacts for officers and expanded support for law enforcement efforts and increased cooperation in providing information on wildlife violations in some areas.

With the reduction in funding and staffing we have to work smarter and more efficiently in our law enforcement efforts overall to maintain effectiveness.

- **Unique Cross Boundary of Cooperative Enforcement Efforts:**

In June of 2009 the division took part in the national “Operation Dry Water” boating safety initiative coordinated by the National Association of Boating Law Administrators. All districts supported the program as in District 4 where officers worked with the Nebraska State Patrol and Lincoln County Sheriff’s Department on Medicine Creek, Maloney and Sutherland reservoirs on June 26-28 and contacted 239 boaters and 31 fishermen resulting in 29 citations and 25 warnings for a variety of boating and criminal violations. We have initiated our involvement in the 2010 ODW program to take place in late June.

District 1, 4 and 6 Conservation Officers assisted the Nebraska State Patrol with a 12 hour highway safety road check on Interstate 80 east of North Platte on October 15<sup>th</sup>. Six Conservation Officers were on hand for each shift to deal with any apparent wildlife violations or issues. A total of 903 hunters, 8 boaters and 3 fishermen were contacted by the COs who inspected 450 elk, 61 antelope, 69 deer, 1 bear, 1 wild pig, 15 ducks and 7 fish. 119 citations and warnings were written by the COs.

Other examples of the wide variety of cooperative efforts engaged in by Conservation Officers over the past year:

- District 1 CO Frank Miller responded to a request from the Cherry County Sheriff regarding an armed standoff with a barricaded subject which resulted in over half-a-dozen law enforcement agencies involved over an 18 hour period. The subject was ultimately taken into custody by a SWAT team. All Conservation Officers have been trained in Active Shooter Response by the Nebraska State Patrol and are members of local response teams for any such events.
  - District 1 COs Kling and Packett in concert with USFWS special agents investigated interstate permit fraud cases involving 18 suspects (including 2 known felons) from 7 states (Nebraska, Colorado, Missouri, Michigan, Texas, Arkansas and California) resulting so far in 4 custodial arrests, 6 completed state cases netting \$10,675 in fines and \$8,450 in liquidated damages for game taken illegally with 3 state cases and several federal cases still pending.
  - A coordination meeting was held at Ponca State Park last fall in District 3 involving our COs, Iowa DNR officers, biologists with our agency, US Fish and Wildlife Service, and members of the Winnebago, Santee and Omaha tribes. These biennial meetings are great for maintaining rapport and cooperation among the state, federal and tribal conservation enforcement and management personnel.
  - We, South Dakota GFP, and the Army COE met at Gavins Point Dam to establish waterfowl blind hunting zones on the Missouri River above Lewis and Clark Lake. The number of blinds and their locations are managed in this area due to its huge popularity with resident and nonresident hunters.
  - A District 4 investigation in cooperation with the USFWS resulted in two individuals being prosecuted for killing 30 deer illegally. Information and evidence was gained by COs during the investigation linking one of the defendants to local burglaries and he has been convicted for those violations as well.
  - Another District 4 investigation in cooperation with a Kansas wildlife investigator and the USFWS of hunters from Nebraska, Kansas and Texas resulted in confiscation of 5 trophy deer and Nebraska, Kansas and Lacey Act charges being filed.
- **New Innovations:**  
Due to reduced funding and staffing we are looking for and implementing ways to do more with less. To that end we have made the transition to wireless data via smart phones with tether capabilities to laptop computers which give officers the ability to access e-mails directly on the smart phones and to

generate reports and other more complex documents on their laptops and send them via the smart phone wireless modem. This will allow us to publish the smart phone number as the primary contact number for all officers thereby eliminating the cost of home phones and wire internet access. Previously we have used a combination of home phones, some wire internet access for key officers, and limited cellular telephone use (due to the multiple costs) for communications. This conglomeration of communication approaches evolved over time based on needs/solutions and budget availability. Under the new wireless phone and data plan officers will also still have commercial long distance telephone calling cards for use from landlines whenever needed.

The division is also transitioning to Microsoft Office 2007 and standardizing computer formatting as new computers are issued. We will complete an update of all issue computers by the end of 2010.

The new State Public Safety Radio System is finally being constructed and phased-in with a completion goal of late 2010. We were able to identify sufficient carryover funding to acquire the user equipment (mobile and portable radios and vehicular repeaters) necessary for our officers to participate in the system.

Recorders, and new compact digital cameras were provided to them to replace older/bulky digital cameras. These new equipment items allow total digital integration of audio/video records for case/court documents and presentations. On three occasions District 4 officers were able to access Facebook accounts of suspects to gain information on their poaching activities to establish evidence of wildlife violations and support for subsequent convictions.

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

Substantial increases in some fines and liquidated damages for wildlife taken Illegally were passed in the 2009 legislative session including some trophy recognition for deer and elk with liquidated damages of \$5,000 for these, and \$15,000 for bighorns.

Electronic permit fraud investigations are netting an increasing number of good cases – many involving nonresidents purchasing resident permits online using false resident addresses. We have recently sent officers to Texas, Colorado, Wyoming and Kansas on these investigations in concert with US Fish and Wildlife Service Special Agents and state officers from those states.

- **Cost Saving Initiatives:**

Due to budget savings measures the Game Fund has rebounded somewhat, but the overall budget for the division remains at a reduced level to help support priority agency programs such as RDR and OFW as previously mentioned, and to address cuts in General Funds that are appropriated to the division for general

law enforcement and emergency response duties. In addition, the Legislature in special session passed an across-the-board 2.5% reduction in budget allocations for this year and a 5% reduction for next year with more reductions possible as revenue updates are received.

Some current cost-saving initiatives for the Law Enforcement Division include:

- Holding 8 officer vacancies and 1 staff position open to make the funds available to accommodate budget cuts and for necessary operating and equipment costs.
- Planning and prioritizing of patrol and complaint response and other daily duties continues to be mandated to reduce vehicle mileage where feasible.
- Increased mileage for vehicle exchange with additional increases on the horizon (currently 100K miles).
- The fleet of fuel-saving transportation now utilized by Conservation Officers includes 8 bicycles and 3 motorcycles which have been well-received by the public.
- Reducing the number of meetings and utilizing local officers for special details such as State Fair duty and staffing of sports shows rather than bringing officers in from more distant stations to reduce mileage, meals and lodging expenses.
- Severely limiting out-of-state and other travel.
- Utilizing the two division camper/command trailers, which were acquired through homeland security surplus for \$5,000 each in 2007, for officer lodging for special details.
- The switch to smart phones has allowed the Division to eliminate home wired internet costs and reduce the cost of mailings. Additional savings will be realized at the end of the year when home phone payments will be discontinued – delayed until then due to the numbers appearing in some 2010 guides.

- **Other Special Law Enforcement Issues:**

The division continues to utilize special focused details – COPR details (COs Protecting Resources) – to address problem or high activity areas. One example in District 1 involved two officers concentrating on Minatare and Bridgeport State Recreation Areas on July 24<sup>th</sup> through 26<sup>th</sup> resulting in 210 Parks contacts, 35 fishermen and 59 boaters checked, and 19 citations and 7 warnings for various violations. Officers used plain clothes patrol, PWC (personal water craft) and bicycle patrol during the detail.

A COPR detail in District 4 on June 26<sup>th</sup> through 28<sup>th</sup> at Maloney and Sutherland reservoirs involved 6 Conservation Officers, 2 State Patrol Troopers and 2 Lincoln County deputy sheriffs. COs contacted 915 people (710 parks, 104 anglers, 31 boaters and 70 others). 40 citations and 10 warnings were issued by COs for violations including no boat registration, no park entry permit, driving under suspension, boating under the influence (2), and minor in possession of alcohol among others. Campers and other area users thanked the

officers for cleaning up the areas and making them more peaceful and enjoyable. The detail had a very positive impact in reducing violation levels for the following July 4<sup>th</sup> weekend.

In a high profile deer poaching case in Cherry county involving the spotlighting of five mule deer including a large 5 by 5 buck which was taken into Merriman and hung from a flatbed trailer for all to see, COs arrested three defendants who were ultimately convicted on 25 violations each, and \$5,000 in liquidated damages for the illegally taken deer. The charges ranged from hunting during closed season and hunting without permission to hunting with artificial light and wanton waste of wildlife. The three paid a total of \$20,145 in fines, damages and court costs and had their hunting and fishing privileges suspended for three years.

Overall, as of October 31<sup>st</sup> of 2009 , special law enforcement details resulted in over 56,000 contacts including 4,504 boaters; 6,790 anglers; 1,994 hunters; 161 criminal; and 41,680 parks. 5,360 wildlife specimens were inspected including 216 deer; 3,750 fish; 460 elk; and 52 turkeys. 713 citations and 971 warnings were issued for violations encountered. We anticipate that the spring through winter 2010 period will produce similar statistics.

Use of special focused details is becoming more important to address problems due to decreasing staffing and other priorities for officer time.

Overall, budget and staffing challenges have created an atmosphere of change for the way we must do business. Some of the changes have improved our ability to meet agency and division goals and objectives. Reduced officer staff time and the ever-present geographical factors (windshield time and cost to address patrol needs, complaints and other calls for service) are still challenges that we must find solutions for to insure continued appropriate response to our constituents, and adequate protection of our wildlife and natural resources.



## WAFWA LAW ENFORCEMENT COMMITTEE

### STATE REPORT – NORTH DAKOTA

By: Chief Robert Timian

- **Agency Overview:**  
Officers jurisdiction is Wildlife Law Enforcement, boat and water safety enforcement, and general police powers on Game and Fish property or when assisting other agencies. Number of Officers: 36
- **Training Issues:**  
Our Enforcement Division struggles to find outside sources for training. Not for the lack of funding but for instructors that fit our training timeframe and needs within our state.

We are now members of the I.M.P.A.C.T. project and are working with South Dakota to partner on training of instructors to begin the implementation of the project.

- **Funding and Staffing Issues:**

During 2009 Our Enforcement division was short staffed for the majority of the year as we had four new officers in training until fall when they were assigned to their district positions upon completion of training. One of the four was a new position; Warden/Pilot, that proved to be a great benefit throughout the hunting seasons and for snowmobile and wildlife problems this past winter. Working with 5 Regions, up from 4, in 2009 was an adjustment. However, we believe the benefits to our officers are working out well.

We also received funding to replace our old enforcement aircraft.

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

As of July 2009, by legislative action, a grant through the State Water Commission became active. It's purpose is for additional patrol on the Missouri River. The funding goes to officers from local agencies who volunteer to work with our Game Wardens to provide better coverage, especially during peak use times. Officers from other agencies are under operational control of the Game and Fish, but are paid by their home agencies which are then reimbursed by Game and Fish. With this program we were able to provide enhanced on the water patrol every day of the week during the summer of 2009.

- **New Innovations in Conservation Law Enforcement:**

For the summer of 2009 the main River patrol boat was outfitted with an in boat video system. As with all new uses there are some "bugs" to work out but overall the system was beneficial. We are currently looking for another trial video system for the boat for 2010. Some of our officers will also be trying out a small clip on style video recorder to wear on their person.

We are researching GPS locators for patrol units to enhance officer safety and efficiency in assigning calls.

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

A new state law effective January 1, 2010 that upon failure to appear for a Game and Fish charges the court shall order suspension of all hunting, fishing, and trapping privileges until final disposition. Effective March 1, 2010 Game wardens will be able to use Game and Fish summons and complaint form (citation) for noncriminal and misdemeanor violations outside of Game and Fish code without the need to do a long form complaint. This will be helpful to Wardens when working on the water or on Wildlife Management areas.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2008 Agency Report**  
**State: OKLAHOMA**  
**Submitted by: Capt. David Deckard**  
**Date: June 1, 2010**

The following report covers the period July 1, 2009 through June 30, 2010 (FY2010) for the Oklahoma Department of Wildlife Conservation, Law Enforcement Division.

- **Agency Overview:**

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

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

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.

The Oklahoma Department of Wildlife has had a complete change of leadership during FY 10 from Director down to the Assistant Chief of Law Enforcement. Assistant Director Richard Hatcher was promoted to Director. Law Enforcement Assistant Chief Jim Edwards was promoted to Assistant Director. Game Warden Robert Fleenor was promoted to Assistant Chief of Law Enforcement and then later promoted to Chief. Lt. Bill Hale was then promoted to the Law Enforcement Assistant Chief's Position. All are very capable leaders that ensure the Agency's continued mission and success.

- **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.

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.

Game wardens are working on completing their NIMS (National Incident Management System) compliance certifications and training. They are also required to train and qualify annually with their pistols, shotguns and rifles. In addition, game wardens must also attend an annual 8 hour defensive tactics refresher course.

Aquatic Nuisance Species (ANS) have become a serious problem in Oklahoma with Zebra mussels and aquatic organisms and plants impacting our waters. Game wardens have received training on how to prevent the spread of ANS and to present themselves as role models while conducting their routine vessel patrols.

The division is preparing to implement the IMPACT Project in the near future. The IMPACT Project will be a useful tool in training new and incumbent game wardens in interpersonal communications.

- **Funding and Staffing Issues:**

Funding remains basically unchanged from the previous year. We are fortunate that we are a revenue based agency and not experiencing funding shortfalls that are impacting other tax appropriated Oklahoma state agencies that are currently furloughing and curtailing their spending etc.

Our retirement system may be changed to help cut the cost of our current plan because it is getting too expensive. We currently have a “defined benefit” and it may be changed to a “defined contribution” plan such as a 457 or 401k. Current employees will not be affected by the change but there is a possibility that they will need to increase their individual contributions up to 5%. A hiring freeze is currently in effect until the new retirement plan is in force.

Four new game wardens were hired in February 2010. We are presently one officer short from being at full force.

We were able to purchase 18 vehicles and 4 boats this year. The vehicles are Ford F-150 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 and 18’ Sea Arks with 115 hp motors.

Unfortunately, we had one patrol boat destroyed and another heavily damaged in the recent May tornados that will impact the Division’s budget. We are waiting on a decision from the state and FEMA to see if will we are eligible for any disaster funds to replace the vessels.

We have had several problems with the engines in our Ford F-150 pickups. The motors have had to be rebuilt or replaced with no practical explanation from Ford or the mechanics on why they quit with only approximately 70,000 to 80,000 miles on them. The engine replacements and repairs were very costly.

- **Trends:**

Alligator sightings and nuisance complaints continue to expand across the southern half of the state. Black bear complaints continue as well, however Oklahoma conducted it's first ever black bear hunt in 2009. The black bear hunt areas may be expanded in the future to alleviate the nuisance bear complaints.

- **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 of paddlefish eggs.

- **New Innovations in Conservation Law Enforcement:**

The division has purchased several 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. A thermal imaging camera was also purchased to help curtail nighttime paddlefish poaching activities.

The division is researching the feasibility of switching from standard cell phones to Blackberry style devices to help with communication.

The division was able to buy 27 laptop computers with air cards for our captains and lieutenants this year that help with e-mails and other record management work. .

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

There were several bills passed this legislative session that will make a significant change. A brief summary is listed below:

Senate Bill 1275 would allow taxidermists to sell unclaimed taxidermy only to Oklahoma residents six months following notification that the specimen is completed. The sales amount can not exceed the original price for mounting the specimen.

House Bill 2861 increases fines for certain wildlife violations and provides for restitution in cases involving illegal killing or possession of wildlife. Allows courts to suspend or revoke hunting and fishing license privileges depending on the type of violation and a person's previous record of violations.

House Bill 1889 would allow the Wildlife Conservation Commission to establish Oklahoma as a member of the Interstate Wildlife Violator Compact and designates procedures for implementation.

House Bill 2862 specifies that the Wildlife Conservation Commission can establish annual licenses for people who do not have hunting or fishing licenses for lands owned by the Oklahoma Department of Wildlife Conservation.

House Bill 2963 is a license consolidation bill that encompasses some major changes that allow our constituents more options when buying licenses. The bill is currently on the governor's desk for approval.

The some of the changes include:

A layaway system for buying lifetime hunting and fishing licenses: Lifetime licenses sold to persons under the age of 18 could be paid for through installments over a three-year period, in a manner to be determined by the Oklahoma Department of Wildlife Conservation.

Eliminating the trout license: The money lost from eliminating the trout license will be offset by increasing the price of non-resident fishing licenses.

One deer license for non-resident hunters: Non-resident hunters can now buy a \$279 deer license that covers the total season limit of deer for the specific season. An example would be: a non-resident archery deer hunter would be able to take 6 deer with one \$279 license.

One more day of fishing: The five-day non-resident fishing license would be extended to a six-day license.

Pick your year: Hunters may choose to buy a hunting license that runs from the calendar year, Jan. 1 to Dec. 31, or the fiscal year, which runs from July 1 to June30.

Some hunting seasons overlap, so buying an annual hunting license that would run from July to June will keep hunters from having to remember to renew during the season.

A break for military personnel: Anyone on active duty in the United States Armed Forces could buy a resident hunting or fishing license in Oklahoma.

Senior citizens get more benefits: All the benefits that regular lifetime fishing and hunting license holders have would be extended to senior citizen lifetime licenses. For example, senior citizen license holders now would receive all of the deer licenses as part of their lifetime license, just like regular lifetime license holders.

Trapping now included: Lifetime license holders also would be exempt from having to buy the trapping license.

- **Cost Saving Initiatives:**

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

- **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. One paddlefish area was closed and another was closed on certain days and with a 10pm curfew to help alleviate the pressure on the fish and enforcement surveillance. The changes seem to be working. We have seen a significant increase of individuals of Eastern European descent from all over the US attempting to harvest paddlefish for caviar. Several major paddlefish cases have been completed or are pending. Oklahoma is not exempt from the problem of large marijuana growing operations on public lands. More 35,000 marijuana plants with an estimated street value of 1.2 million dollars were discovered on one of our wildlife management areas. The grow operation was complete with a hand dug well for irrigation purposes. The operation was manned by several males that were able to elude some local deputies responding to the report made by some turkey hunters who discovered the plants.

Game wardens are involved in several Department programs that involve the recruitment and retention of anglers and hunters. The programs include an annual Wildlife Expo and an annual Archery in the Schools statewide tournament. Both programs require an enormous amount of manpower and associated cost in these popular and worthwhile projects. Other programs include the annual Wildlife Youth Camp, STEP programs and Aquatic Education. The recruitment and retention of anglers and hunters and the sale of licenses to them is vital to our agency.



**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: April 2010**

- **Training Issues:**
  - Training during the 2009 – 2010 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.
    - In December 2009 the branch embarked on a Quality Assurance Review of Enforcement Training as part of the ongoing process of quality assurance within OMNR Enforcement Branch. The review is focused on supporting the success of the field Conservation Officer and it relies on a list of operational competencies as the criteria to assess the current state of training.
  
- **Funding and Staffing Issues:**
  - OMNR Enforcement Branch is establishing physical abilities and psychological testing standards and criteria for background checks for all NEW Conservation Officer hires.
  - Base funding to OMNR's Enforcement Branch has increased by nearly 18% (approximately \$5.7 million) since 2006. However like other jurisdictions across the mid-west Ontario is facing a difficult economic situation and OMNR must live within its means. The implications of this are that many parts of OMNR, including Enforcement Branch, will have smaller funding allocations this year (2010/11) and likely for several years to come.
  - 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.
  - A key position in OMNR's Enforcement Branch is the front line supervisor. There are 28 positions of this type across the province providing leadership and supervision to just under 200 field officers. They are also responsible for planning and implementing a risk based enforcement operational plan across a large geographic area.
  - This position has been in place for approximately 14 years and has evolved substantially in that time, especially in the area of increased responsibilities and accountability.
  - The existing job description, responsibilities and role were reviewed this year and an updated job description developed. This resulted in the position being reclassified to a slightly higher level and a change in

the job title from Enforcement Supervisor to Area Enforcement Manager. The new salary ranges for the position are \$66,884 to \$85,006.

- Additional information on the position in our organization can be found at <http://www.mnr.gov.on.ca/en/Business/Enforcement/2ColumnSubPage/248697.html>
  - Within Canada's honours system there are a number of Exemplary Service Medals that recognize the efforts of men and women dedicated to preserving Canada's public safety through long and outstanding service.
  - One of those is the Peace Officer Exemplary Service Medal which recognizes peace officers who have served in an exemplary manner, characterized by good conduct, industry and efficiency.
  - Enforcement staff in a small number of agencies are eligible to receive this recognition including Ontario Ministry of Natural Resources Conservation Officers.
  - To be eligible, a nominee must satisfy the following criteria:
    - has completed 20 years of exemplary service, including at least 10 years served in the performance of duties involving potential risk (direct service or contact with external clients and on site field operations as a Conservation Officer), and
    - has not been subject to serious disciplinary action and none are pending.
  - To date 76 medals have been awarded to Ontario Conservation Officers, both active and retired.
- **Major Conservation Law Enforcement Trends:**
    - 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 2009-2010, officers conducted over 17,500 hours of planned outreach involving contact with over 70,000 people. Four outreach trailers have been purchased for use across the province. They are outfitted with various information products and displays and have been a draw for crowds wherever they are used.
    - OMNR cooperative efforts with various police agencies in the province continue. Some examples of joint enforcement efforts include:
      - Joint marine patrols, road checks, snowmobile/ice fishing patrols, etc.
      - Intelligence and investigation staff deal on a regular basis with partners such as the Criminal Intelligence Service of Ontario, the Ontario Provincial Police and federal and municipal law

enforcement agencies on a regular basis regarding illegal activity, intelligence collection plans, persons of interest, etc.

- Providing natural resources law enforcement communications materials to local Crime Stoppers boards for use by local media to raise awareness of natural resources violations.

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

- The Federal government has the lead for getting the Wildlife Violators Compact established act across Canada. There has been no movement to date.
- ‘Operation Shellshock’ was a joint international investigation into the illegal trade of endangered species between Canada and the United States. The multi-agency investigation was conducted by Ontario Ministry of Natural Resources Conservation Officers as well as officers from Environment Canada, Canada Border Services Agency, the U.S. Fish and Wildlife Service and the New York Department of Environmental Conservation.
- On October 15, 2008, as a result of an ongoing undercover investigation into the illegal trafficking of species at risk, an Ontario resident was arrested in the state of New York by U.S. authorities. The investigation disclosed that the individual had crossed the Canada/U.S. border illegally transporting a total of 35 Eastern Massasauga rattlesnakes and one spotted turtle during two trips taken between May and October 2008. These animals had been taken from the wild in Ontario
- For the past 6 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:**

- Project CONet – the expansion of OMNR Internet enforcement efforts.
- OMNR has been aware of increasing levels of natural resource related violations occurring on the internet in recent years.
- Over the last decade, Conservation Officers (CO’s) have done some exceptional work in dealing with this rapidly evolving area of concern.
- In November 2007 an investigative probe (CONet) was conducted into the trade of Ontario's flora and fauna.
- Initial focused efforts included monitoring internet discussion forums, internet sales sites and sites dedicated to specific interests related to the trafficking in wildlife.

- Work thus far has clearly identified that Ontario's flora and fauna was, and still is, an expanding topic of interest for discussion, possession, propagation and trafficking.
  - Initial findings from this two year effort identified that the use of the internet as a venue for this type of trade was considerable and its growth and development appeared to be expanding.
  - Ontario's species at risk have been identified as being a part of this illegal trade.
  - CONet helped establish that covert computers were effective tools for natural resources enforcement (used for research and for covert communication in order to collect intelligence and evidence)
  - In 2010, project CONet was approved for another two year period and will involve 5 officers across the Province using covert computers.
  - Information management and Information technology modernization continues. Some of the initiatives under the modernization program include:
    - Development of an updated records management system is underway.
    - Deploying Mobile Office technology in 130 High Visibility Enforcement Vehicles giving Conservation Officers the ability to remotely access documents, word processing and e-mail. Continued rollout of this technology to the remaining 20 High Visibility Enforcement Vehicles fleet is anticipated for 2010/11.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement:**
  - A recent Driver Distraction amendment to the Highway Traffic Act makes it illegal for drivers to text, type, email, dial, or chat using a prohibited hand-held device. The amendment allows for fines of up to \$500. Hands free devices and emergency calls to 911 were exempted.
  - Ontario Conservation Officers were provided an exemption to the new Driver Distraction amendment to the Highway Traffic Act allowing them to use hand-held devices to perform their duties even while driving.
- **Cost Savings Initiatives:**
  - OMNR Enforcement Branch uses a Business Logic Model to allocate funds to work units across the province. This allows financial allocation decisions to consider cost variations associated with factors such as the higher cost of operating a vehicle in the north as compared to southern Ontario.
    - This model also allows for allocation decisions to take into account various factors influencing each work units operating costs including: number of staff, the total number of vehicles and vessels the unit is operating and maintaining, mandatory and enhanced training requirements, uniforms and personal protective equipment, communications (radios and

communication services), travel requirements, planned field activity requirements, etc.

- The nature of this model ensures that work units will have a funding allocation sufficient to carry out their planned activities.



**Association of Midwest Fish and Game Law Enforcement Officers  
2009/10 Agency Report**

**State/Province: Saskatchewan**

**Submitted by: Ron Erickson A/Director Enforcement and Investigations**

**Date: May 4, 2010**

- **Training Issues:**

The restructuring of Compliance and Field Services Branch in the Ministry of Environment in March 2010 has had some affect on the Branch's Training Unit. The unit has been amalgamated with the Education and Awareness Unit and placed in the Enforcement and Investigations Section along with Environmental Compliance, Investigations and Dispatch. The Training Unit was in Compliance Services which has been eliminated.

- **Funding and Staffing Issues:**

Saskatchewan Environment has adopted a Results Based Regulatory approach in dealing with stakeholders and the public who wish to access the province's renewable resources. This approach has had an effect on Compliance and Field Services Branch as it moves to adopt the new regulatory regime.

The recession has not been felt in Saskatchewan as hard as in some provinces and states however with the declining demand for some of the provinces resources, like potash, the government has instituted reduction targets for each ministry in the province. In March C&FS Branch saw a reduction of about 5% in its overall budget which resulted in the loss of five out of scope directors and managers. At the same we were able to fill twelve vacant Conservation Officers positions with new officers so the field delivery of the ministry's compliance priorities will see an overall improvement.

As of this report date, the Chief of Enforcement and Investigations Unit, Dave Harvey, has retired. A competition is being run for a replacement with a candidate expected to be named in the early summer of 2010. The title of the successor will be the Director of Enforcement and Investigations Unit.

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

The Ministry of Environment is working cooperatively with the Canadian Natural Resources Law Enforcement Chiefs to implement a national violator compact similar to the United States model with reciprocal licence suspensions. This is an ongoing process that will continue as a priority for the ministry.

- **New Innovations in Conservation Law Enforcement:**  
As a result of increased awareness of social networking sites such as Face Book, and Youtube the branch is monitoring more internet activity. Surveillance of stories and videos posted by individuals known to be using these sites to publicize or conduct illegal activity is being undertaken.

A Youtube posting in the summer of 2009 showing the unlawful killing of migratory birds by three individuals in Saskatchewan created a huge outcry from the public and sportsman’s groups and produced unprecedented media interest in a wildlife violation. The conclusion of the successful investigation in which an informant identified the violators resulted in \$16,000.00 in fines.

- **Cost Savings Initiatives:**  
The Ministry of Environment has moved its 24 hour officer dispatching responsibilities from an in-house dispatch centre to a new centre managed by the Ministry of Corrections, Public Safety and Policing. The new centre dispatches rural fire departments across the province and now several provincial enforcement agencies such as the Highway Transport Patrol, Ministry of Finance Revenue Officers and ourselves. The new centre will have a computer assisted officer tracking system that is updates the officer’s location as they move through their patrol area. The new dispatching centre is expected to save the ministry money and time in eliminating the need to ensure staff are hired and scheduled for the 24 hour operation of the ministry’s centre.

A new province wide radio system is being rolled out in the summer of 2010 that will provide better overall radio coverage at a lower cost to the ministry. The new system will replace the antiquated “Fleetnet System” that had developed many coverage and equipment replacement issues. The new system will use the same towers as the RCMP will be using.



**AMFGLEO/WAFWA 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, 2009 through March 31, 2010 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 is beginning the implementation/training phase of the "Interpersonal Communications Skills Training Program" for conservation officers. The "IMPACT 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, this project identifies appropriate performance criteria and creates an appropriate test for assessing those skills in a conservation law enforcement context. It also creates 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. A total of 15 state fish and wildlife agencies have partnered on this project.

During the summer of 2010, the Division will hold a 4-day "Coaches and Assessors Training Course" for conservation officer supervisors, regional supervisors, field training officers and administrators in Pierre. Later in the month, a series of 1-day "Tactical Communications" training courses will be held for field officers to essentially introduce them to IMPACT Principles, effective communication techniques and human behavioral norms. All courses will be instructed by Greg Seidel, Director of Training for the Thomas and Means Law Firm. More information can be obtain by visiting: <http://www.policeimpact.com/>

- **Funding and Staffing Issues:**

We continue to experience periodic turnover within the conservation officer ranks, but we are hoping to become fully staffed by the end of 2010. A new Conservation Officer Specialist position was created to address the administrative needs of the agency.

Despite the effects of the current economy, the Division continues to carry out its mission. We have been fortunate to have limited out of state travel approved for important coordination meetings. Additionally, many capital asset purchases have been permitted after receiving approval from the Office of the Governor. 2010 will mark the second straight year in which state employees did not receive a raise. We feel fortunate compared to some of the hurdles other states are facing.

- **Trends:**

Our Mentored Hunter Program continues 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. Our guidelines for participants are as follows:

- **Safety First:** Treat every firearm as if it is loaded, practice muzzle control, and be absolutely sure of the target. Safety is the primary concern when youth are involved in hunting.
- **Practice:** Practicing shooting skills before the hunt eases fears, reduces wounding loss, and builds confidence.
- **Have Fun & Be Positive:** Success is the hunt, not the kill.
- **Get Involved:** Participate in nature-oriented activities and study wildlife behavior within their habitat.
- **Give All Your Attention to the Youth:** Mentoring is about the youth, not about the adult.
- **Be aware of their age:** Physical stamina and mental maturity is different for youth. Consider short hunts and talk beforehand about field dressing animals.
- **Patience:** Youth don't always get it right the first time. Practice CPR: Compliment, Positive correction, Review.
- **Listen and Talk:** Listen and address any concerns the youth may have before the hunt. Talk to the youth about their connection to nature and respect for habitat and wildlife.
- **Use Appropriate Equipment:** Hunting gear is not one size fits all. Be sure to get the correct sizes.
- **No Pressure:** Sometimes the best shot is no shot. The only good shot is one the youth is comfortable with.
- **Use Good Judgment:** If the youth is not ready for hunting, having the youth observe a hunt is a great option.

We are anticipating large crowds for our third state –sponsored Outdoor Expo event to be held in mid-June. The focus of the event is to encourage families to participate together in outdoor recreation activities. We hope this even will serve as a tool to aid in the recruitment of new outdoor enthusiasts. This year, we will hold our first “antler auction” at the Expo. Hundreds of antlers, racks, mounts, skulls and other unique items will be offered to the general public in an auction format. The majority of these items were obtained through years of conservation law enforcement activities. Our regional offices are elated to once again have available space in evidence storage areas.

- **Unique Cross Boundary or Cooperative Enforcement Efforts:**  
Our agency held a state/federal baitfish industry coordination meeting in July of 2009, in Milbank, with 21 officers attending. Those in attendance traveled from Indiana, Iowa, Wisconsin, Minnesota and North Dakota. Bait dealers who harvest wild minnows continue to be an area of concern in many states due to law enforcement and disease concerns. The major players in the bait industry are involved in a number of the Midwest states and this meeting enabled participants to share information on laws and regulations in each state. We even

learned that some of the minnows trapped in our state are traveling to the east coast.

Many Conservation Officers and Supervisors participated in a mock terrorism exercise in May of 2009 at Oahe Dam, near Pierre. Oahe is the third of six main-stem Missouri River dams and is believed to be a potential terrorist target. During the exercise, which simulated an explosion of the dam, state emergency personnel partnered together on land, in the air and on the water. Conservation Officers were tasked with making sure potential water threats remained 400 yards from the dam. All involved learned the importance of communication and teamwork.

- **New Innovations in Conservation Law Enforcement:**

We recently received state approval to begin creating our own case management system. The Law Enforcement Management System (LEMS) will create a new computer system that we hope will:

- combine and/or link redundant systems
- reduce paperwork
- automatically generate reports, statistics and run queries (GIS)
- provide better and timelier access to records and statistics
- improve efficiency and resolve problems with our current arrest system
- enable officers to share information
- track and manage cases (monitor case load)
- track seized evidence
- store/organize electronic evidence (scanned documents, photos, video and audio)
- efficiently retrieve information from other state data systems
- create a new integrated database for monthly LE and Landowner contact reports

We envision having this system accessible to our staff while in the office, but also when staff is out in the field and not sitting at a desk. At some point in the future, we would like to add the use of Mobile Data Terminals (MDT) or similar devices to access information in the field through the use of an air card. If feasible, we would like to explore the possibility of using voice recognition software to aid in writing reports, move toward electronic citations and add scanning technology for various documents such as paper tickets. It is likely that at some point in the future, the state will be moving toward electronic citations and the ability to scan IDs in the vehicle. We searched the market for an out of the box solution, but never found anything that appeared to be a fit for everything we wanted to do. Our State Bureau of Information & Technology will be handling this project, which is expected to exceed \$200,000.

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

The Department is involved in a legal battle with a taxidermist from the northeast part of the state. During March of 2009, one of our licensed taxidermists refused to allow inspection of his business. After receiving a citation, this individual began the process of challenging the constitutionality (4<sup>th</sup> Amendment) of our taxidermy law and association inspection authority. In August of 2009, the Magistrate Court ruled that our taxidermy statute and its associated implementation did not violate the 4<sup>th</sup> Amendment. An appeal was filed in Circuit Court arguing that the warrantless inspections authorized by law did not provide constitutionally adequate protections substituting for the protections afforded by the 4<sup>th</sup> Amendment warrant requirement. In March of 2010, the Circuit Court ruled that taxidermy is a closely regulated business in South Dakota. Further, there is substantial government interest in the management and protection of wildlife in South Dakota that informs the regulatory scheme pursuant to which the inspection of the taxidermy business is being made. It also ruled that warrantless inspections of taxidermists are necessary to further the regulatory scheme established by codified law. Finally, the Court decided that our taxidermist statute provided a constitutionally adequate substitute for a warrant by performing two of the functions of a warrant: (1) advising the owner of the premises that the search is pursuant to the law and that it has a defined scope, and (2) limiting the discretion of the inspecting officers. We fully expect a challenge on the State Supreme Court level.

We had another successful Legislative Session in 2010. 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:

- HB1014 – An Act to define trophy and nontrophy antelope, mule deer, white-tailed deer, and elk, and establish civil damages for the unlawful taking of trophy animals
- HB1176 - An Act to authorize certain licensed hunters who are quadriplegic to hunt using a designated hunter.
- HB1264 - An Act to provide for the issuance of free antlerless deer licenses to certain landowners and lessees.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**STATE REPORT – TEXAS**  
By: Colonel Peter P. Flores

- **Training Issues:**

The Texas Parks and Wildlife Department (TPWD) Law Enforcement Division (Division) recently completed the first phase of the new Texas Game Warden Training Center in rural Hamilton County. Located in central Texas on a 220-acre tract donated by the Police Assistance League of Texas, the state-of-the-art training facility near the small community of Star is the result of a public-private partnership that so far has raised more than half of the \$20 million needed to complete the entire project. The now-completed Phase One construction includes an administration building, an education hall-armory, dining hall and a fitness center. The second phase will include a firing range, a water rescue facility, a residence for the academy superintendent, a maintenance building and an entry portal.

<http://www.youtube.com/user/TexasParksWildlife#p/c/D2536041C5ACA826/0/GZG6Dp8Hyh4>

Training of inland wardens in fish house inspection and investigations has resulted in better tracking of aquatic products harvested in Texas and compliance to licensing and regulations. Training for TED and BRD inspection by coastal wardens is necessary to maintain skills and incorporate new gear restrictions.

Forty-one members of the 55<sup>th</sup> Texas Game Warden Academy Cadet Class are scheduled to graduate July 27, 2010. Fifteen of the cadets will be assigned to the Texas-Mexico border, which brings the total to 30 game wardens out of the last two classes.

<http://www.youtube.com/user/TexasParksWildlife#p/c/D2536041C5ACA826/3/URG-LS5C-Qc>

- **Funding and Staffing Issues:**

Due to state budget shortfall, the Division is faced with a 5% budget cut in the coming fiscal year, with an additional 10% cut possible. The total operating budget for the current fiscal year is \$48.3 million. The total Division budget is \$60.4 million.

- **Trends:**

Currently the Operation Game Thief program, which is Texas “Wildlife Crime Stoppers” program, is looking into using telephone “texting” as a new way to report tips on violators committing wildlife and fishing crimes.

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

Texas officially became the 34<sup>TH</sup> member of the Interstate Wildlife Violator Compact on May 30, 2010. Texas will begin participating in this interstate tool to combat the poaching of wildlife and fish.

TPWD is in a joint enforcement agreement with NOAA/NMFS and works cooperatively to enforce state and federal regulations for recreational and commercial fishing in Texas. Although the primary goals are education and compliance, many criminal and civil cases resulting in large seizures have resulted from this cooperative effort.

The Operation Game Thief program continues to work with both federal and local law enforcement officials in investigating and capturing offenders of wildlife, fishing, environmental and boating crimes. Since its inception in 1981, Operation Game Thief has fielded close to 28,000 phone tips, filed more than 9,000 cases with a 98 percent conviction rate, netted more than \$1 million in fines, and paid rewards totaling more than \$200,000.

In October, the TPWD received a tip through our Operation Game Thief wildlife crime stoppers program about a pair of Harris's hawks unlawfully captured in Texas and transported to North Carolina. State game wardens began investigating the case, and by mid-November the tip led U.S. Fish and Wildlife Service Office of Law Enforcement Special Agents to a North Carolina suspect in possession of the hawks. The investigation into the capture of the hawks will be referred to the U.S. Attorney's office for prosecution. It's alleged that the Harris's hawks were trapped without the required state and federal permits.

<http://www.youtube.com/user/TexasParksWildlife#p/c/D2536041C5ACA826/2/eSI3TdrMjAY>

The Division's Special Operations Unit recently concluded a two-year covert investigation involving the illegal trade of white-tailed deer. Four subjects were apprehended and charged with state and/or federal violations for buying, selling and transporting wild white-tailed deer and transporting white-tailed deer across state lines. Texas currently has closed borders for importing deer from out of state due to disease issues. Three of the individuals have been convicted in state court for misdemeanor violations. The remaining individual has entered a guilty plea in federal court to a Lacy Act Felony.

This past February, the Environmental Crimes Unit, along with the Texas Commission on Environmental Quality and U.S. Environmental Protection Agency executed a search warrant on a Freeport company that has culminated with the company pleading guilty to 11 counts of water pollution. The following is an excerpt from a press release issued by the Travis County DA's office: Travis County District Attorney Rosemary Lehmberg today announced that Gulf Chemical and Metallurgical Corporation has paid fines totaling \$2,750,000

as part of a plea agreement with the Freeport, Texas based company. In addition to fines, the company has one year to make significant improvements in its operations or face additional prosecutions. "Our natural resources belong to all of us-they are part of our common heritage as Texans. Our water supplies and wildlife habitat are already under pressure, and when they are damaged or destroyed by someone's irresponsible behavior, we all pay the price. Too often, companies like Gulf Chemical have brushed off smaller fines for polluting the environment, considering them just cost of doing business. That's wrong. We're making sure the penalties for this case fit the crime," said District Attorney Rosemary Lehmborg.

For the second time, the Texas Game Warden Academy includes a cadet from the Mexican State of Nuevo Leon. TPWD has had two previous cadets from Mexico attend our seven month training academy. They will pioneer conservation law enforcement on a state level in Northern Mexico.

- **New Innovations in Conservation Law Enforcement:**

On May 27, 2010, the Texas Parks and Wildlife Commission unanimously passed rules to allow department staff to deny issuance or renewal of Deer Breeder Permits, Deer Management Permits and Trap, Transport & Transplant (TTT) Permits to anyone convicted of a Lacey Act violation. In addition, the TPWD will now be able to withhold/delay processing an application for a Deer Management or TTT permit if the applicant is a defendant in a prosecution for a violation of the Lacey Act. Previously, Lacey Act prosecutions and convictions were not considered when processing applications for these permits.

TPWD is working cooperatively with the commercial fishing industry to track harvest of aquatic products to better predict resource limits and prevent illegal harvest. Recording sales at dealers and more recently, requiring individual fishermen selling directly to consumers or restaurants report to their sale and catch information will provide the resource harvest information necessary to predict not only recruitment and limits in a fishery, but we also provide useful investigative information to law enforcement.

In the years 2008 and 2009 approximately 100 Texas Game Wardens received specialized training in the Reid's Interview and Interrogation Training. That training has been vital in providing our game wardens with the tools to properly investigate and gain confessions from offenders. Operation Game Thief also provides grants to Texas Game Wardens that have allowed them to purchase specialized equipment to assist them in their jobs. Side Scan Sonars have been purchased and used to recover drowning victims, and over 25 pairs of night vision goggles have been purchased to help fight illegal night hunting and assist with border enforcement.

- **Cost Saving Initiatives:**

Although civil restitution is not a new concept in managing resource restoration and is tied to identifying violations where resources are taken illegally, the concept of license denial for delinquent civil restitution accounts is comparatively new. In addition to this process, TPWD has developed an innovative approach to assist in funding the clerical and data entry required to manage the system. A \$100 re-instatement fee is being assessed to anyone who loses his/her license privileges in addition to the amount assessed for civil restitution. This along with a notification process that provides a discount if a person pays the civil restitution owed before the denial process begins has resulted in compliance on civil restitution payments.

- **Other Special Law Enforcement Issues:**

Although border issues are not new to many states, Texas has the unique experience of dealing with enforcing regulations for fisheries along the border of the country of Mexico. When states have common borders, communication and cooperation are used to address common issues. While Texas enforcement efforts strive to protect resources, the lack of regulations and enforcement on the Mexico side of a water body becomes detrimental to those efforts. The results can be devastating to resources and result in enforcement issues that are often dangerous for officers.

As a result of legislation passed during the 81<sup>st</sup> Texas Legislative Session, a Recreational Boating Safety Committee was appointed by Governor Rick Perry, Lt. Governor David Dewhurst, and Speaker of the House Joe Strauss. The committee recently held its first meeting. The committee is to evaluate our current position and report to the governor on issues that affect (or need attention) our ability to promote our cause regarding recreational boating safety. The two main focuses are 1) recognizing by statute TPWD as the lead agency on the public waters of this state in regards to water safety, and, 2) a mandatory boater education program. TPWD's desire is to have Boater Education mirror Hunter Education, with a "born on or after" date for mandatory Boater Education. TPWD has hired a new lieutenant, Cody Jones, for administration of the Marine Safety Enforcement Officer and Floating Cabin's programs. Texas' boating law administrator (BLA) traveled to Washington, D.C. to attend BLA Workshop and Capitol Hill visits with Congressional Representatives and Senators to discuss our state's status in the recreational boating safety program and encourage the passing of legislation to fund our state's programs. While in D.C., the BLA attended a Capitol Reception honoring NASBLA's 50th year anniversary. Chip Daigle, Denton County Game Warden, was awarded the Southern States Boating Law Administrator Officer of the Year award for Texas.

The Division has invested in the equipping and training of a game warden dive team. Utilizing the most current equipment and technology, a team of game wardens volunteered for duty as needed statewide in search and recovery operations. The team, comprised of nine game wardens, is operational.

The Division has received fifteen 29-foot SAFE Boats for patrol on the coastal waters of Texas. An additional three 21-foot SAFE Boats have been received for our Texas-Mexico border lakes. Funding for these vessels has come from Homeland Security, NOAA Joint Enforcement Agreement, and Byrne Law Enforcement Grants.

<http://www.youtube.com/watch?v=7aMVWwmPNqs&feature=related>

The Division's Aircraft Branch has completed the overhaul and refit of our two Jet Bell Ranger helos. This will keep the helos in service for an additional 10 years. We also received a new Cessna Turbo Stationair observation aircraft. The newest addition to our fleet has the latest avionics and bay observation window for surveillance purposes.

The Division has received a new mobile command vehicle. The vehicle is an Odyssey XL MPV: 2009 General Motors C5500, which is equipped with an array of electronics making it capable to post a mobile command area anywhere we conduct operations, complete with infrared, satellite and multi-band radio compatibility. It is able to connect with the Internet and our State Operation's Center in less time. The vehicle was manufactured by the Turtle Top Division of the Independent Protection Co., Inc., 67819 State Road 15, New Paris, IN. The vehicle was purchased from Great Lakes Coach, Specialists in Commercial Transportation, 12636 N. US Hwy.131, P.O. Box 579, Schoolcraft, MI.

The Division has begun the replacement of our 10-year-old Glock pistols with a new generation Glock 22, .40 caliber. Funding was made available for this through Homeland Security Operations.



**Association of Midwest Fish and Game Law Enforcement Officers**  
**2009 Agency Report**  
**State/Province: Wisconsin DNR**  
**Submitted by: Chief Warden Randy Stark**  
**Date: June 2, 2010**

- **Training Issues:**

Efforts are underway to utilize more distance learning technologies including Microsoft Live Meeting software and other web based techniques. A major element of recertification training for the year was a session on room clearing and response to active incidents (active shooter). This training was an element of our need to be “Ready to Respond” relevant to the law enforcement strategic plan.

An increased emphasis on scenario based and dynamic training was made at the regional level.

New invasive species rules came into effect in September 2009. Plans are being made to begin training for all wardens on those new laws.

We updated our pistols by trading in Glock semi-automatics, most of which were purchased 15+ years ago, with new Glock handguns.

- **Funding and Staffing Issues:**

In 2009 the Bureau continued its Water Guard program with about half of the temporary staff it started with. The Water Guard program was designed as a means to hire up to 10 temporary workers who may or may not be credentialed to help educate and enforce laws involving invasive aquatic species. The program continued to be successful with educational efforts being the main focus. The efforts brought about from this program helped to change laws in 2010 that will strengthen the laws limiting transportation of aquatic invasive species.

In December the Department began the process to hire its first new wardens since the beginning of 2008. The Conservation Warden Class of 2010 will begin its training in June 2010.

We currently have 23 vacancies in the state out of our 206 authorized positions. We also have 28 wardens eligible to retire in the next biennium. It’s clear that continuing to hire new classes will be a high priority in the coming years.

- **Major Conservation Law Enforcement Trends:**

We saw what appeared to be an alarming trend in 2009 where some snowmobilers used their machines as a tool to kill wildlife. Six deer were killed in one incident and in two other unrelated incidents ducks were the targets.

Also during 2009 we saw an increase in felons hunting with firearms – see new innovations as to why.

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

The Special Operations Unit in cooperation with the USFWS conducted a major bait dealer investigation into the transportation, buying and selling of bait fish for fishing purposes. Four defendant companies were charged with and plead guilty to federal felony Lacey Act violations involving the importation of bait fish without the required health testing. This will continue to be an important area to pay attention to in preventing the spread of fish disease. Consequently wardens are more in tune with looking for seining operations, fish transport and permits.

- **New Innovations in Conservation Law Enforcement:**

Project 87 – Project 87 was a felon possessing firearms initiative begun under the direction of the Special Operations Unit. We found that hundreds of felons in WI had purchased hunting licenses; licenses that in most cases would only be valid during the course of a hunt where only a firearm could be used. A plan to address the issue was developed that would involve local law enforcement, wardens and ATF agents. In the end, the investigations that were initiated by nearly every conservation warden in the state resulted in discovered violations of DNR law or felons in possession of firearms law. The initiative and results are still ongoing into 2010. For details on how this initiative was developed, contact Investigator Ed McCann – 608-785-9942.

The Bureau began using a program called TIP411 that enables the public to provide tips to our violation hotline via text messaging. Within days of launching the program, wardens began making cases on tips that were texted into the call center.

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

In 2009 Wisconsin passed “Mentored Hunting” providing the opportunity for anyone 10 year of age or older to participate in hunting without first completing hunter education. The regulation was designed with safety in mind; requiring one on one mentoring, with one gun and within arms reach of a licensed hunter. During the 2009-10 hunting season over 12,000 mentor licenses were sold with over 10,500 to hunters ages 10 & 11. Females made up 20% of the mentored hunting licenses sold.

Wardens increased legislative involvement by hosting rides-alongs, and by providing updates to legislators on issues that might be considered controversial before they became issues.

2009 was a year that became very controversial in terms of deer hunting and deer numbers. Many hunters felt the department had missed the mark when it

came to deer population estimates. Hunters saw and shot fewer deer in the field and hunter kill numbers were down. This opened up lively discussions, including a legislative hearing and local public hearings across the state during the November hunting season regarding deer management and season frameworks.

- **Cost Saving Initiatives:**

The Bureau began using Microsoft Live Meeting in earnest in 2009. During the course of using this product to conduct virtual face-to-face meetings with staff remotely situated around the state, we have save literally thousands of dollars in time travel and lodging costs. The program was expanded to include purchasing cameras and licenses for all supervisors and others who had a regular need for conducting Live Meetings.

We continue to make use of computer air cards to create efficiencies and to effectuate business and in the field.

We acquired the first of 22 used but almost new motorcycles from a government surplus program. The bikes at \$300 a piece have been used to cut costs on fuel. They have been very helpful in increasing patrols, reducing costs, and lowering our carbon footprint . A significant user screening process was put into place prior to implementing the program. 2010 will be the first year of full implementation and recognition of savings.

- **Other Special Law Enforcement Issues:**

In addition to thrill killing cases that are being prosecuted in WI, we currently have UW-Green Bay working on a “Thrill Killing” research project with hope to better understand the “why” related to thrill killing. This report will be shared with other agencies upon publication.