



2011

Annual Agency Reports

Association of Midwest Fish and Game Law Enforcement Officers

2011 Annual Agency Reports

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2011 Agency Report
State/Province: Colorado
Submitted by: Bob Thompson, Acting Chief of Law Enforcement
Date: April 15, 2011

- **Training Issues** – Due to the downturn in the economy, Colorado has not held a new Wildlife Officer training academy for the last two years for our entry level District Wildlife Manager position. An academy was approved and there are ten candidates in the new class that are currently in the Red Rocks Community College P.O.S.T peace officer academy for five months. Upon completion they will continue with the Colorado Division of Wildlife's in-house academy for approximately seven months before being assigned a district. Colorado is implementing more of the Reality Based Training (RBT) to replace and update the scenario training that we currently do. Also the Training Section is doing Supervisor Training programs and Leadership Development programs.
- **Funding and Staffing Issues** – Colorado continues to have declining revenue in license sales which is the major funding mechanism for the agency in management the wildlife resources. A concerted effort is being made on the recruitment and retention of hunters, anglers and wildlife enthusiasts. In line with this there is a major national advertisement campaign targeting in particular nonresident elk hunters to come enjoy hunting elk in Colorado.

A staffing issue is that the Colorado Division of Wildlife is losing newer and younger employees due to no advancement in salaries. There were fifteen resignations last year where employees sought new jobs and careers with a chance of monetary advancement. Traditionally, once an employee gained a foothold into the Colorado Division of Wildlife they were here for a 30 year career. In 2000 a bill was introduced to go to a statewide performance management system and away from the Step/Grade system in place before that. However all distributions of achievement pay are limited by the funding restrictions and limitations imposed by the General Assembly. Since 2000 there has been very limited to no base-building achievement pay for newer employees. Compound this with furlough days imposed, hiring restrictions in place requiring employees to pick up the work from vacant positions, and more contribution into the employee's retirement fund that was previously kicked in by the State, many employees are seeking employment elsewhere.

- **Major Conservation Law Enforcement Trends** – None to report.
- **Unique Cross Boundary or Cooperative, Enforcement Efforts** – The Colorado Division of Wildlife working in conjunction with the Utah Division of Wildlife Resources and US Fish and Wildlife Service arrested two Grand Junction men for alleged poaching violations.

Erik Ambriz, 28, Grand Junction-Charged with:

- C.R.S. 33-6-107(3) – Unlawfully take and possess wildlife without a proper and valid elk license. Misdemeanor. \$1441 fine.
- C.R.S. 33-6-109(1) - Unlawfully possess wildlife. Misdemeanor. \$1370 fine.
- C.R.S. 33-6-109(3.4)(a)(I) – Unlawfully possess trophy class wildlife. Misdemeanor. \$10,000 fine/surcharge.
- C.R.S. 33-6-127 – Unlawfully take wildlife with the use of artificial light. Misdemeanor. \$274 fine.
- C.R.S. 33-6-113(1) – Unlawfully offer for sale wildlife. Class V Felony (3 Counts).
- C.R.S. 18-2-201 – Unlawfully conspire to commit illegal sale of wildlife. Class VI Felony (3 Counts).
- C.R.S. 18-12-108 - Unlawful for a previously convicted felon to possess a firearm. Class V Felony.

Erik Ambriz, who has a criminal history of poaching, was sentenced on two felony charges and one misdemeanor charge to four and a half years in prison, the high end of a sentencing range imposed by Mesa County District Court Judge Brian Flynn. Judge Flynn said Ambriz' actions defined the case as aggravated and warranted a stiff sentence with no probation. Ambriz also received an administrative lifetime suspension from the Wildlife Commission of his hunting and fishing license privileges. Ambriz cannot hunt or fish in the State of Colorado or any other of the 35 states that are member of the Interstate Wildlife Violator Compact.

Michael R. Gordon, 31, Grand Junction-Charged with:

- C.R.S. 33-6-107(3) – Unlawfully take and possess wildlife without a proper and valid elk license. Misdemeanor. \$1441 fine.
- C.R.S. 33-6-109(1) - Unlawfully take and possess wildlife. Misdemeanor. \$1370 fine.

- C.R.S. 33-6-109(3.4)(a)(I) – Unlawfully possess trophy class wildlife. Misdemeanor. \$10,000 fine/surcharge.
- C.R.S. 33-6-127 – Unlawfully take wildlife with the use of artificial light. Misdemeanor. \$274 fine.
- C.R.S. 33-6-113(1) – Unlawfully offer for sale wildlife. Class V Felony (3 Counts).
- C.R.S. 18-2-201 – Unlawfully conspire to commit illegal sale of wildlife. Class VI Felony (3 Counts).

Michael R. Gordon, through a plea bargain agreement, was sentenced by Mesa County District Court Judge Valerie Jo Robison to one misdemeanor possession of a trophy class elk with over \$11,000.00 in fines assessed and a deferred sentence on one felony sale of wildlife. Gordon also received an administrative lifetime suspension from the Wildlife Commission of his hunting and fishing license privileges. Gordon cannot hunt or fish in the State of Colorado or any other of the 35 states that are member of the Interstate Wildlife Violator Compact.

- **New Innovations in Conservation Law Enforcement** – None to report.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** –

Colorado voted in a new governor this year. One of the initiatives is to look at all of the departments and agencies within the executive branch of Colorado government for cost savings and efficiencies. There has been a bill introduced into legislation to merge the Colorado Division of Wildlife with the Colorado Division of Parks and Outdoor Recreation into a single agency of the Colorado Division of Parks and Wildlife. If the bill passes the new agency will be the Colorado Division of Parks and Wildlife effective July 1, 2011. There will also be a new Director for the new agency as none of the current Director's contracts were renewed for the new fiscal year. There will be a transition year in which the face of the new agency will emerge.

In the 2010 legislative session, the Colorado General Assembly enacted a new section to Title 16 of the Code of Criminal Procedure, regarding when and under what circumstances a peace officer may conduct a search of a person or vehicle based on consent. The text of the new law may be found at C.R.S. 16-3-310 and concerns requirements of an officer requesting consent to search a person or a vehicle prior to arrest of that person(s).

Under this provision a peace officer may only conduct a consensual search after articulating the following to the person to whom the request is made, and thereafter receiving consent from that person or the person with apparent or actual authority to provide such permission. The officer is required to document the circumstances that specify that the person voluntarily consented to a search and the person was told they have the right to refuse the request to search. After they make these determinations, the officer may only search if the person giving consent voluntarily provides verbal or written consent; or, there exists other evidence showing knowing and voluntary consent, if the person cannot provide written or verbal consent.

- **Cost Savings Initiatives** – The consolidation of the two agencies will result in some cost savings and efficiencies in state government but those details will be worked out over the transition year.
- **Other Special Law Enforcement Issues** – none to report.

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Association of Midwest Fish and Game Law Enforcement Officers

2011 Agency Report

State/Province: Kansas

Submitted by: Col. Kevin W. Jones, Division Director

Date: April 2011

- **Training Issues** - The intra-agency Law Enforcement Training Committee is continuing its work toward unifying and standardizing training across the entire agency. The committee has been working for the past two years to reach and maintain this goal. Prior to its creation, each of the three agency divisions having law enforcement responsibilities created their own training programs. This was inefficient and created differences in how our officers performed their duties. Under the new system the agency has better interaction and consistency in their work.

The Law Enforcement Division has stepped up its officer training in boating enforcement. A stronger emphasis is being placed on all aspects of boating training, from basic patrol to advanced accident reconstruction.

Officers in the Law Enforcement Division are now equipped with mobile data capabilities and have been receiving training in the use of the associated reporting and information database programs. At the time of this report, the final distribution and training is being completed.

The K-9 program continues to serve the agency well. The original group of officers and dogs are rapidly coming to a time where the K-9s are retiring from service. In some cases, the officer is also retiring from K-9 service, resulting in the recruitment of new officers and dogs for the program. During the past year two vacancies occurred within the K-9 program and new officers were assigned to the vacated positions. Dogs were selected and the training occurred. The agency chose for the new teams to attend the Indiana K-9 training program. It

was decided that it was beneficial for the teams to be initially trained and certified by an outside agency in order to maximize their objective review.

- **Funding and Staffing Issues** - A new Game Warden position was approved by the 2010 Legislature. This position has been filled and located in Osage County, which is in the east-central part of the state. This area has a lot of activity as it is a short distance of the largest population area of the state, two large reservoirs and associated public hunting areas.

In order to more closely match revenues with expenditures, the Secretary has directed a budget savings reduction in Fiscal Year 2012, which begins July 1, 2011. The 2.5% reduction is focused on revenues primarily derived from hunting and fishing license sales and affects all programs associated with this funding source. While the reduction in itself is manageable, the increase in operations costs, particularly truck fuel, makes it more challenging.

The FY 2013 budget base is also being reduced to match the FY 2012 savings reduction. The development of this budget is dependent upon Legislative directions. The Legislature is considering a number of options to try and reduce the budget deficit in FY 2012. Some of the considerations include changes to the retirement system, reduction in cell phones, and other operating expenses. Cuts to the general budget will affect staffing in a number of agencies. Because the Department is fee revenue funded, and not dependent on general state tax revenue, it is unknown at this time how these proposals may affect us.

- **Major Conservation Law Enforcement Trends** - Participation in the Underage Drinking Prevention program is continuing. This program is funded through a grant administered by the Kansas Department of Transportation. It allows officers to be paid for working overtime hours, and allows officer the ability to focus particularly department lands for this illegal activity. No only do the officers make arrests and suppress illegal drinking activity, it also allows officers additional patrol time for wildlife related enforcement.
- **Unique Cross Boundary or Cooperative, Enforcement Efforts** - The first indictments and guilty pleas have been made in Operation Cimarron. This case has been under investigation and preparation for prosecution for the past four years. The three primary defendants in the case have pleaded guilty to a variety of charges and are awaiting sentencing in June.

Additional cases are continually being developed. During the past year a new Captain of Investigations has been hired and is focusing efforts toward better case coordination and referral. A new records management system is a part of the Captain's goals for his section.

- **New Innovations in Conservation Law Enforcement** - Mobile data terminals are now functioning in all Law Enforcement Division vehicles. The officers are now capable of receiving data transmissions in their trucks relating to licensing, violations, revocations, criminal histories and other records. Additionally officers are able to more efficiently use their work hours in filing reports, making inquiries and communicating.

The Division is applying for a Justice Assistance Grant toward the purchase of a new records management system. Currently there is no data management component that centralizes all records systems.

- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** - Among the motions filed in the Operation Cimarron case was a motion regarding the value of the illegally taken deer. In considering the arguments, Judge Brown ruled that the value of the deer was equal to the cost of the guided hunt. In essence, Judge Brown found that if a client paid \$4,000 for a guided hunt, then the value of the deer \$4,000. This ruling was in Federal District Court and is subject to appeal.
- **Cost Savings Initiatives** – None to report
- **Other Special Law Enforcement Issues** – None to report

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**Association of Midwest Fish and Game Law Enforcement Officers
2011 Agency Report
Michigan Department of Natural Resources Law Enforcement Division
June 1, 2011**

- **Training Issues -Survival Tactics Training** The Michigan Department of Natural Resources (DNR) Law Enforcement Division (LED) survival tactics training program is a comprehensive training program that 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. 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.

LED implemented the TASER pilot program in 2009 with 35 TASERS issued to survival tactics instructors throughout the state. Currently all conservation officers have been issued a TASER. Officers can carry the TASER in addition to the existing intermediate weapons, the ASP collapsible baton and the chemical irritant spray.

This year ST instructors will attend Spontaneous Protection Enabling Acceleration Response Training (SPEAR). This training was made available through funding from a Michigan Commission on Law Enforcement Standards (MCOLES) grant award. The SPEAR training system addresses the ambush attack which can take place upon an officer during close quarter contact and arrest situations. It trains an officer to engage a hostile threat with greater confidence and speed. It also trains an officer in techniques when fighting off balance. The ST instructors will incorporate techniques learned at this training into the division's ST program.

Tactical Tracking LED is developing a tactical tracking program to train conservation officers and law enforcement officers from other agencies. This program will train officers in individual tracking, team tracking, lost spoor procedures, back tracking, night tracking, as well as other techniques and procedures. This program development and training was also made available through funding from an MCOLES grant award.

Waterborne Tactics Training LED has developed a program that combines firearms training standards, survival tactics, subject control and emergency boat operations. Officers will be trained in dealing with hostile watercraft, recognition and identification of IEDs, and dealing with lethal force situations while boarding and searching vessels and hostile subjects.

United States Coast Guard Training The Commercial Fish Enforcement Unit (CFEU) currently has two specialists completing the lengthy and rigorous process of obtaining 100 ton captain licenses.

- **Funding and Staffing Issues** - The current fiscal year continues a decade long trend of cutbacks and reduced budgets. License sales and general tax revenues continue to decline, leading to cutbacks in the DNR LED budget and reductions in officer ranks.
- **Major Conservation Law Enforcement Trends** - Special Investigations Unit SIU continues to more commonly encounter the illegal possession and manufacture of narcotics while engaged in covert investigations related to wildlife crimes. The challenge has been keeping the focus of the prosecuting attorneys on the game and fish violations rather than the narcotics issues.

Commercial Fish Enforcement Unit Commercial Fish Specialists (CFS) have utilized their large vessels as part of homeland security patrols upon the Great Lakes, not only along the border but also in specific ports with heightened security risks.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts** - Special Investigations Unit SIU has been involved in a joint investigation with one of the tribal enforcement agencies. This has been the first time that covert investigators from the DNR and one of the tribes have worked closely together to target violations being committed by both tribal members and non-tribal suspects.

Commercial Fish Enforcement Unit The CFEU has become active with the Great Lakes Task Force which is made up of several Great Lakes states and the United States Fish and Wildlife Service. The mission of the task force is to deal with violations occurring within the commercial fishing industry as well as the major

threats posed by aquatic invasive species.

The CFEU has been involved in an increased number of joint patrols with the United States Coast Guard (USCG). The CFSs will be conducting training with USCG personnel to educate them regarding the commercial fishing industry. It is hoped that the additional enforcement personnel on the water who are familiar with the industry will result in the identification of additional violations within the commercial fishing industry.

Both the CFEU and SIU have been exploring the availability of federal agency assets to assist with accomplishing our missions. Many of these assets are related to homeland and border security, but several agencies have expressed a willingness to assist with our objectives during the course of their routine operations.

- **New Innovations in Conservation Law Enforcement** - Use of live feed GPS trackers are being researched to compensate for a lack of man power for physical surveillance. While these systems can be costly, it appears that the expenditure will be justified as the systems would serve as a force multiplier allowing a very limited number of investigators to accomplish what would otherwise require an entire team.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement - Unique Court Decision** The CFEU has recently obtained guilty verdicts on three subjects in state court related to the illegal selling of tribal subsistence-caught fish entering the commercial market. This was unique in that two of the defendants were tribal members who would ordinarily be subject only to tribal court. Due to the fact that the consent decree between the tribes, the State of Michigan, and the US Government did not address the specific issue in the case, state charges were brought regarding the illegal commercialization. This had been a long and arduous process.

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 marihuana, 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.

LED is also looking into hiring procedures as it relates to possible applicants who have medical marijuana cards.

- **Cost Savings Initiatives** - Budget reductions have forced LED to delay implementation of new equipment and replacement of old equipment such as boats, radios and computers. To be more efficient with travel time and costs, LED is testing the use of conference calls and web software for holding meetings with distant staff.

LED has attempted to scale back the use of the largest patrol vessels which consume large quantities of fuel. The CFEU has utilized smaller vessels or joined district officers on district vessels to accomplish their missions.

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Association of Midwest Fish and Game Law Enforcement Officers

2010 Agency Report

State/Province: Missouri

Submitted by: Larry Yamnitz, Protection Division Chief

Date: April 28, 2011

- **Training Issues** – The Missouri Department of Conservation is presently conducting a training academy. The academy began March 1, 2011 and is six months in duration. The academy consists of conservation law, boating operations, waterfowl school, firearms training, land management practices, trapping, fish kills, defensive tactics, etc. There are 14 recruits in the training academy with a graduation date of August 30, 2011.

The Missouri Department of Conservation continues to send conservation agents to swiftwater rescue training. Swiftwater emergency calls are increasing in this state and with Missouri conservation agents patrolling streams, we felt it was essential for the agents to be prepared to respond rapidly and effectively to swift water emergencies, without sacrificing their safety. The training consists of using specialized gear in water exercises, practicing with rescue craft, and reacting to swiftwater emergency situations. This past year 10 conservation agents attended the training. Also, we have two agents who have been accepted to attend swift water rescue instructor school which will help facilitate our training efforts.

Chemical suicide information/training is being provided to conservation agents this year. Chemical suicide, also called detergent suicide, usually involves toxic chemicals such as hydrogen sulfide and hydrogen cyanide. Due to the high toxicity of these chemicals, we want to be sure our agents are aware of the precautions they need to take on approaching a car which may have been used in this type of suicide.

- **Funding and Staffing Issues** – While revenues may be stabilizing from the past few years of steady decline, our budget remains fairly stagnant as increases are few. Once again, 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 have requested in next year's budget an agent training academy class of 12 trainees as we continue to have vacancies.

On the positive side, we have been allowed to expand our Special Investigation (SI) Unit by one temporary position. Our SI Unit has been successful in the last several months by bringing some major violators to justice and we are moving forward with a major focus on commercial violations in the next few years.

- **Major Conservation Law Enforcement Trends** – In 2010, Missouri's Operation Game Thief (OGT) program received 819 violation reports which resulted in 295 arrests. Deer violations were the most numerous with 191 arrests. Road hunting violations were second with 23 arrests. We improved the OGT reporting system and now those who receive/investigate the OGT calls also get the information by e-mail. As part of the OGT program, we have a cargo trailer full of OGT material which 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 14 events.

During the last deer season, 305,643 pounds of venison were donated to Missouri's Share the Harvest Program. A total of 5,731 hunters participated 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. The Governor of Missouri has taken an active interest in Share the Harvest and has assisted in bringing more public awareness to the program.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts** – Missouri is blessed with many clear streams in the Ozarks which thousands of people float each year. Along with the huge number of stream users comes a multitude of conflicts and violations. To address these issues, we work closely with other agencies on special law enforcement patrols. These agencies include Missouri State Highway Patrol – Water Patrol Division, Department of Natural Resources Park Rangers, U.S. Park Service, U.S. Forest Service, and local Sheriff's Departments. This joint cooperation is important as no one agency has enough manpower to handle the number of issues that surface at these high-use streams.

Our Department also has a cooperative effort with several schools to promote the National Archery in the Schools Program in our state. Our goal is to have all current conservation agents certified as instructors. To further demonstrate our commitment to this program, our current agent training academy class will be certified instructors when they graduate.

In November 2008, our Special Investigation Unit in cooperation with the U.S. Fish and Wildlife Service conducted an operation called "Pulling Wool". This investigation focused on the illegal hunting of deer with dogs. The violators outfitted their dogs with radio collars where they could be easily tracked and communicated with marine-band radios. While some of the illegal hunters have already been processed through Federal Court, several more are now getting the opportunity to do so.

- **New Innovations in Conservation Law Enforcement** – We have issued smartphones to the conservation agents in the field which serve as their communication tool with the public as well as our Department. These smartphones have proven to be very useful to agents in receiving timely email information while working in the field, and have enabled the public to call them with violation information which they can respond to immediately if the situation dictates. In addition, we enabled these phones to electronically check hunting and fishing permit information. We are also exploring furnishing all agents laptop computers to replace the desk-top models they presently have in their home offices. This will enable the conservation agents to take their computers to the field for efficient and effective electronic communication.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** – The topic of conceal carry during archery hunting seasons has surfaced in Missouri last year and we now have regulations in place that allow conceal carry permittees to carry their firearms with them while they are archery hunting deer and turkey.

The regulation also allows qualified law enforcement officers to carry their concealed off-duty firearms. The new regulation does not allow the use of concealed carry firearms for hunting.

Our Department participates in the Missouri Governor's Task Force on Feral Hogs and assists with the eradication of this threat to our natural resources. We conduct aerial gunning of these wild hogs in an attempt to keep their population from expanding. Efforts from this operation have been positive so far.

This last fall, the Conservation Commission approved the restoration of elk in Missouri. An area around Peck Ranch Conservation Area in Southern Missouri has been chosen as the restoration zone. This restoration project has garnered support from the public but also has been criticized from organizations within the farming community who feel elk will be a threat to agricultural interests. Some issues concerning the elk reintroduction have surfaced in the legislature and we are presently working on resolving differences related to this project.

- **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 another milestone as every Protection Region in the state moves forward with implementing the program. 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. We have found these volunteers do the work equal to 1.1 full-time employee per region.

Another cost savings initiative was the implementation of ePermits. The ePermit program consists of selling permits through a web-based program versus the point-of-sale (POS) system. The big savings will be in paper costs since we will no longer use the expensive sticky-back paper. Permits will be sold through a computer and printed on regular paper. This system will allow permit buyers to purchase permits and print them out at home. The goal is to have all store vendors switched over in the next couple of years.

- **Other Special Law Enforcement Issues** – This past year we dealt with a deer processor that had less than desirable sanitary conditions at his processing facility. Due to regulations that are presently in place, the situation was difficult to correct if he was just processing deer meat. This set in motion a desire to explore changes in our processing regulation that would correct possible sanitary issues in the future. We are working with our State Department of Agriculture on the best way to do this.

This year we have been approved by the U.S. Fish and Wildlife Service for state-only falconry permitting. This process has taken a couple of years as a committee consisting of Protection personnel and members of the Missouri

Falconry Association collaborated on the new regulations to make this possible. By our agency working together with stakeholders, we were able to put together falconry regulations that will truly benefit the resource and those who use it. We are currently in the process of educating our agents and the public on this very special law enforcement effort.

A large investigation involving illegal commercialization of wildlife and wildlife parts was brought to a close this past year. Our Special Investigation Unit operated an undercover taxidermy shop in a small town in the Ozarks and observed 299 serious violations in seven counties across southern Missouri. Investigators were able to document that 62 percent of the wildlife brought in for mounting at the taxidermy shop was taken illegally in some manner. The violations include those related to deer, turkey, furbearers, both game and non-game fish, and migratory birds. This documentation occurred over the past two years in Crawford, Dent, Miller, Howell, Iron, Oregon and Shannon Counties. During the closing of the operation (Operation Wallhanger), teams of agents met with 68 individuals and were able to document another 126 violations, bringing the total number of violations to 425. Of these, 289 were related to deer and 23 were related to turkey. Conservation agents seized a total of 240 items including 90 deer mounts or sets of antlers, approximately 20 various small game, fish, or furbearer mounts, 70 frog legs, one rattlesnake, and 16 firearms. Some of the wildlife was sold illegally. Additionally, three individuals were arrested on a total of 11 outstanding warrants including two for out-of-state felonies. This investigation would not have taken place without the outcry from hunters who said poaching was happening in this area.



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

**Submitted by Ted Blume
Administrator, Law Enforcement Division
Nebraska Game and Parks Commission
June 9, 2011**

- **AGENCY OVERVIEW**

The Law Enforcement Division experienced a challenging year. Due to budget cuts over the past several years the division has lost 3 Conservation Officer (CO) positions permanently and currently has 7 additional officer vacancies – the majority of which are being held open to address additional budget cuts that are pending due to a growing deficit in State revenues and to augment operating funds due to increases in costs such as fuel. In addition, several officers were out of service for extended periods over the past year due to illness or injury. We were, however, able to fill two vacancies with new COs in December 2010 as a partial mitigation for the vacancies and staff reductions. All things considered,

the Officer Corps has maintained focus and high productivity even with the daily challenge of insufficient staffing to address all of the calls for service and investigation leads as well as other agency priority projects.

The Division continues to provide extensive support for the agency priority Hunter/Angler Recruitment/Development and Retention (RDR) programs as well as the Hunting/Angling Access programs particularly the Open Fields and Waters Program. An agency Administrative Study Committee (ASC) plan has mandated some reorganization and redirection of duties for some employees to address the budget challenges and efficient delivery of services. Part of that plan indicates that Conservation Officers will now dedicate 50% of their time to law enforcement, 25% to fish/wildlife/parks field activities, 20% to presentations and RDR activities/events, and 5% to training/reporting/equipment maintenance, etc. Officers have long performed all of these duties, but the ASC guidelines set some target goals for actual percentages of work time as indicated. The ASC plan also reorganized the agency into 4 uniform geographical districts (NW, SW, SE NE) for all divisions from a structure of 5 or 6 disparate districts defined differently by each field division which should reduce confusion and enhance interdivisional cooperation within each district and among adjacent districts.

- **TRAINING ISSUES**

As with most agencies we are always looking for new and innovative training to augment our operational capabilities. In July four officers attended “Tactical Tracking and Woodland Operations” training in Lincoln. The division has sent officers to this school over the past several years. It is focused on advanced tracking skills that can be applied to any situation where tracking is a key factor such as search and rescue (lost hunters or children...), game law violators and escaped fugitives, and it has been applied successfully in a number of such situations already.

One Captain, 2 District Supervisors and 4 COs attended training on law enforcement policies, procedures and best law enforcement practices focusing on the functionality of agency policies and procedures and how they will stand up to civil litigation. This training shed a new light on the importance of professional processes in an agency with law enforcement responsibilities, and identified some of the hazards of failing in this arena both to individual officers and the agency.

The Law Enforcement Division has been very active in the Nebraska Law Enforcement Intelligence Network (NeLEIN) – 3 officers attended the conference in April and 2 of the officers made a presentation there on Game Law enforcement. Attendees were from many police and sheriff departments as well as the Nebraska State Patrol and other law enforcement agencies. And we sent another officer to the 2 week NeLEIN covert investigation training last June – we have approximately 15 officers who have completed the training. NeLEIN

involvement builds strong rapport and cooperation with other law enforcement agencies and personnel statewide for our agency.

Training in wildlife management and mitigation subjects/skills is also being expanded for COs. Many have attended Level 1 Aquatic Invasive Species (AIS) Inspection training and several have attended Level 2 training to train others on how to inspect and decontaminate vessels to help insure that AIS are not introduced into Nebraska waters. 4 officers attended advanced “Chemical Immobilization” training in St. Joseph, Missouri, in April – these skills are important in dealing appropriately and effectively with mountain lion complaints and response and in other wildlife situations.

COs attended “Active Shooter” refresher training in several districts to maintain their readiness and involvement in local response teams for critical incidents. In many cases COs are among the only back-ups for local jurisdictions and are relied upon in these time-critical law enforcement emergency responses.

- **FUNDING AND STAFFING ISSUES**

As mentioned elsewhere, budgets and staff are shrinking and costs (fuel, insurance, etc.) are increasing. We are simply trying to do the best we can within the real staffing and budgetary constraints that exist, and maintaining the highest level of service feasible by being innovative and resourceful to maximize efficiency and effectiveness.

- **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

With the changing environment of Conservation Officer duties officers are involved with a wider array of projects on a regular basis including these examples:

- COs presented a total of 1,873 programs in 2010 – an increase from 1,114 in 2003. These programs covered a multitude of subjects and were given to sportsman groups, civic groups, youth groups and in conjunction with agency programs such as Hunter Education, Becoming an Outdoor Woman, and RDR among many others.
- There was also a dedicated effort to organize and provide youth hunts throughout the state. Officers in the NW District were involved in two youth deer hunts and two youth waterfowl hunts including a hunt in the Scottsbluff area. That particular hunt was focused on youth that had little or no previous hunting experience and limited previous hunting access to waterfowl. Some of the participants were chosen through the local mentoring program and provided a positive outdoor experience as well as firearms training. This project was a cooperative effort with local conservationist, Ducks Unlimited, Panhandle Region Conservation Club and the Mitchell Valley Trap club. Due to the success of these events they will become annual projects in each district to promote increased youth participation in sport hunting.

- Conservation Officers were called upon to respond to a number of incidents involving mountain lion/human conflicts. In two of these events in the NW District agency personnel euthanized lions that had come into residential areas and were deemed to be a public safety risk as per our Mountain Lion Action Plan. Two other mountain lion incidents involved landowners that killed lions on private property. In the first case the landowner had reported missing livestock and the lion had entered the yard of the rural residence on two occasions prior to being killed. An investigation of the incident indicated that the removal of the animal complied with state statute and agency protocol and no criminal charges were filed. The second incident involved the killing of a 147 pound male lion by a landowner in the northern portion of the district. This incident was also investigated, but, even though circumstances were suspicious at best, no charges were ultimately filed by the county attorney. With a growing population of mountain lions in the state there is an expectation that there will be an increase in human/lion conflicts.
- Total arrests have declined from 3,364 in 2003 to 2,167 in 2010 and warnings from 6,848 in 2003 to 4,144 in 2010 – a reflection of fewer officers in the field and more time spent on other priority projects due to reduced staffing and funding across the board.
- **UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS**

Paddlefish snagging season started October off with high numbers of fishermen in the Gavins Point Dam tailwaters on the Missouri River bordering South Dakota. Success on paddlefish was excellent with most fishermen being able to harvest a legal fish. Conservation Officers working the area made an exceptional case involving illegal paddlefish being taken. The two subjects arrested also were in illegal possession of flathead catfish, walleye, drum and white bass. The two subjects were assessed fines and liquidated damages totaling over \$10,000.

NW District officers finalized a two year investigation with the USFWS relating to illegal permits obtained by non-residents by falsifying permit applications and while under revocation in other states. Fourteen cases, including one federal felony case, resulted in state penalties of nearly \$28,000 in fines and liquidated damages, and federal penalties of \$20,000 restitution to the Game Law Investigation Cash Fund and \$2,600 in fines with two federal cases still pending.

Nearly all law enforcement agencies in Nebraska are also experiencing reduction in staffing and budgets and cooperative efforts among agencies are often vital in addressing immediate needs. Examples from the NW District – officers provided assistance in three critical incidents that included response to a homicide in Valentine, support during an armed standoff also in Valentine, and apprehension of a murder suspect at Lake McConaughy.

COs routinely provide training to other law enforcement agencies and constituent groups:

- SE District COs provided airboat training to local fire and rescue departments for recovering and transporting victims in emergency situations.
- COs again provided training to Nebraska Law Enforcement Training Center (NLETC) and Nebraska State Patrol Basic Classes on game, parks and boating laws and regulations, and certified CO instructors from all districts provided firearms, defensive tactics, and high-risk vehicle stop training at NLETC to Basic Class trainees from a wide array of state law enforcement agencies.
- COs provided Game Law training to new immigrants at the Asian Center in Lincoln and to several Hispanic organizations across the state.
- We have transitioned to Krav Maga as our primary defensive tactics training and one of our certified trainers has provided KM training to the security staff of Doane College in Crete, Nebraska – a little different training outreach than we have done before.

Examples of other cooperative efforts:

- In September all NE District officers and several from other districts assisted with the Ponca Missouri River Expo held at Ponca State Park which drew over 20,000 people over a Saturday and Sunday despite rainy/cool weather, and over 500 high school students on Friday. This event is a strong cooperative effort including communities, volunteers, hunting and conservation organizations and businesses from NW Iowa and NE Nebraska.
 - A SW District CO assisted the Corp of Engineers at Harlan County Reservoir inspecting boats for AIS.
 - SW District officers worked 8 deer baiting cases which led to cooperative investigations with the USFWS and Kansas COs.
 - A SW District investigation in cooperation with USFWS resulted in 2 individuals being prosecuted for killing 30 deer illegally. Information gained during the investigation linked one of the defendants to local burglaries and he has been convicted for those violations as well.
- **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT**
Officers are routinely accessing Facebook, Twitter and other social media sites to uncover information relating to wildlife violations.

Implementation of the new P25 trunked Statewide Radio System (SRS) for State agencies and Nebraska Public Power is progressing although running somewhat behind the planned completion timeline of the beginning of 2011. The SRS will also be able to accommodate local public safety and public power agencies that have interest in being part of the system – several are in the process of joining at this time. Conservation Officers are attending regional planning meetings to represent NGPC interests in local interoperability communications plans and

systems in support of a new Mutual Aid radio system that is also being implemented in the state.

Elimination of home phone expenses and total transition to smart phones and wireless data access was completed during the past year allowing COs to be totally mobile with all their voice and data applications which results in more time in the field and reduced communications costs.

We were able to replace a number of our older in-car video systems with new digital systems which have many more features and are much more user friendly. This equipment is a valuable tool for officer safety and enhancing case documentation.

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

Electronic permitting investigations have verified violations involving the purchase of permits by some hunters only after a kill is made, and a considerable number of illegally obtained resident permits by nonresidents via the electronic permitting system.

The agency was not able to prioritize legislation changes this year that would allow Nebraska to become a member of the Interstate Wildlife Violator Compact due to other priority legislation issues relating to budget, permit options/fees, etc. We are hoping that next year will provide an opportunity to have the required legislation introduced.

- **COST SAVINGS INITIATIVES**

A continuation of existing efforts to reduce expenditures:

- Continued planning of patrols and prioritization of complaint response to save fuel – annual mileage driven per officer has decreased by over 10% since 2003 as a result of fuel conservation efforts even with expanded duties in other areas.
- 7 vacant CO FTEs held open.
- Limited travel for training and conferences.
- Reduced equipment acquisition – especially expensive items like boats.
- Continue use of bicycles, motorcycles, ATVs and kayaks where appropriate and feasible. These have proven to be great public relations tools as well.
- Finalization of the transition away from home phones and wire Internet access to smart phones and wireless data to increase efficiency and reduce communications costs.

- **OTHER SPECIAL LAW ENFORCEMENT ISSUES**

As a result of increasing deer numbers and a perceived loss in their value by some groups of constituents officers have been busy responding to multiple

reports of illegal harvest of deer and antelope. One of the more notable cases involved individuals in the Valentine area that had been shooting deer and leaving them to rot. This investigation resulted in the arrest of two individuals who were ultimately charged with multiple counts of hunting in closed season, spotlighting and hunting without valid deer permits as well as liquidated damages for eight deer. Total fines and liquidated damages associated with the case were nearly \$13,000.

Flooding - the Missouri River was at flood stage most of the 2010 summer and is again flooding in the spring of 2011, but even worse, which has reduced boating traffic and planned boating enforcement details as well as increased the emergency response calls for service in flooded areas. The Platte River is also now flooding with mitigation and removal/rescue efforts already underway there as well.

Due to some of the priority agency programs including Hunter/Angler Recruitment Development and Retention, other Outreach efforts and the Hunter/Angler Access programs such as Open Fields and Waters and CRP Map officers have spent many hours and driven many miles accomplishing duties related thereto. SE District officers presented 511 programs over the past year alone. SE District Supervisor Duane Arp summed up the new way: "Work smarter and more efficiently in our law enforcement efforts overall to maintain effectiveness. Less patrol time and more education efforts are becoming a priority."

Overall, the Law Enforcement Division is endeavoring to maintain field presence and response to calls for service in spite of the marked reduction in available staff and staff time. We are also providing substantial assistance along with other agency staff to initiate sign-up for the 2011 Hunting/Angling expanded Access programs and for Hunter/Angler RDR programs. And officers are assisting other divisions as per the new ASC work plan model with various fish/wildlife/parks management projects including such things as controlled burns; range safety officers for RDR shooting events; pallid sturgeon broodstock collection; fish sampling; invasive cedar tree removals; family fishing nights; lake renovation; youth outdoor skills camps; Becoming an Outdoor Woman programs; goose banding; fence building/maintenance; mentored youth pheasant and deer hunts; etc..... It's not hard for a CO to stay busy these days!

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Association of Midwest Fish and Game Law Enforcement Officers

2011 Agency Report

State/Province: Ohio

Submitted by: James E. Lehman

Date: June 10, 2011

- **Training Issues**

- **Current Officer Training**

- We continue to make strides in officer training, particularly for firearms and defensive tactics. All commissioned officers receive a minimum of 40 hours in-service training in firearms and defensive tactics. Statewide in-service training includes qualification with all issued firearms and secondary weapons as well as four quarterly training sessions in each wildlife district. These quarterly trainings covered officer self defense, handcuffing (including legal aspects), escorts and takedowns, all-terrain vehicle (ATV) stops and approaches, defensive driving and maneuvering, policy and procedure review concerning use of weapons, use of force, and the 4th Amendment to the U.S. Constitution, Miranda, and pertinent court cases. Shooting exercises included point shooting, shooting from unorthodox positions, shooting from behind barricades, shooting and moving, reloading exercises, and limited and no light exercises.

We continue the process of utilizing a “training track” for newly promoted investigators, wildlife officer supervisors, law enforcement supervisors, administrators, and wildlife officers. The training includes standardized law enforcement-related training courses or equivalents, both mandated and suggested, for career and professional development. Some mandatory courses include criminal investigation and death investigation for investigators and front-line supervision and conducting background investigations for wildlife officer supervisors.

- **Waterfowl Enforcement**

- A Waterfowl Enforcement School was held for wildlife officers, investigators, and supervisors. This school, taught by our officers and biologists focuses on enforcement techniques for waterfowl and migratory game birds, species identification, and regulations. It features classroom study, field trips, and scenarios designed to improve waterfowl enforcement skills and knowledge.

- **Funding and Staffing Issues**

- **Wildlife Officer Academy Application Process** Preparations began for a Wildlife Officer Academy to run during calendar year 2012. We continue the goal of having very limited vacant assignments and having officers serving in an at-large capacity who are able to transfer into open areas as they are available.

Recruitment of outstanding, diverse applicants for the wildlife officer position continues to be a priority. For the upcoming 2012 training academy we received over 650 applications for an anticipated 18 spots to fill. We have

averaged 400 applicants for each of our last five training academies, where 10 to 30 new officers have been hired.

Our cadets are required to have at least a two-year college degree in selected fields and be able to meet physical fitness standards, pass a rigorous background evaluation and other tests. Recruitment for the 2012 class included postings on agency, college, and job websites, major newspapers, press releases, and attendance at major sport shows and events around Ohio. Additionally human resources and law enforcement staff we have appeared at several recruitment fairs and contacted colleges and universities in Ohio and surrounding states.

Current Officer Staff Officer staffing levels have dropped to the lowest levels in ten years due to retirements and an economic delay of one year for the planned academy. While there is only one county currently vacant, several vacancies occur in the investigator ranks. These promotional opportunities have been put on hold until after the next training academy begins to ensure a minimum of vacant counties.

In the past 10 years, wildlife officer cadet classes were held on the average of every other year allowing us to maintain a full complement of officers in most areas with brief vacancies. Although this cadet training schedule has been expensive and time consuming, it has been necessary in order to keep up with retirements of veteran officers.

There is typically one wildlife officer assigned to each of Ohio's 88 counties, four investigators working in each of five wildlife districts around the state, and investigators working out of the Lake Erie Enforcement Unit. Wildlife officer supervisors and law enforcement supervisors at the district level, as well as administrators and training officers at the Columbus headquarters complete our work force.

We continue to work towards expanding our Special Operations Unit which consists of investigators who work in a full-time covert capacity principally targeting major violations and illegal commercialization of wildlife. This unit has been tremendously productive with numerous arrests made due to their efforts.

Our firearms and defensive tactics training team continues to provide valuable and diverse training, despite unfilled absences on the team. Team members are volunteers who perform training duties in addition to their normal duties as field officers, investigators, or supervisors.

- **Major Conservation Law Enforcement Trends –**

Turn in a Poacher Program The Turn In a Poacher (TIP) program utilized an outside vendor this year for 24 hour, 365 day a year coverage. The program continues to grow in popularity with the public. In fiscal year 2010, over 3,613

phone calls were received through 1-800-POACHER, generating over 1,376 written violation reports. The ability to anonymously report wildlife violations gives informants the security to make a report without fear of reprisal. Media sources have pushed the program to the public after several large cases have been made through the TIP program. The continued media coverage helps the program reach its fullest potential. We continue to promote TIP and look forward to upcoming opportunities to improve the reporting process.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts – Interstate Wildlife Violator Compact** On January 1, 2008, Ohio joined the Interstate Wildlife Violators Compact. This has proven to be a useful enforcement tool and has received a great deal of positive coverage in the media. Our new Automated License System utilizes data from the Compact Database to block purchase of licenses by those under revocation.

Child Support Enforcement Agencies Ohio Revised Code requires the suspension of all licenses for default of child support when notification is made by a child support agency. As a result of the notification, the ODNR Automated License System must be queried to determine if the individual had purchased hunting and/or fishing license. A letter of revocation is forwarded to all holders of hunting and fishing license suspending their license as required by law. In 2010, 307 suspension orders were received from which 41 suspension notices were issued to current license holders.

Record Restitution Orders Record restitution was ordered in the amount of \$23,816.59 for a white-tailed deer with a gross antler score of 218 7/8 inches shot from the roadway in the closed season. This record amount was soon broken with an order for restitution in the amount of \$27,851.33 for a deer scoring 228 6/8 inches shot on private property without permission.

- **New Innovations in Conservation Law Enforcement**
Light-bar Adoption All new patrol vehicles are now issued with external light-bars after extensive testing has shown they increase visibility in emergency situations. As vehicles are replaced, the old internal emergency lights are no longer being re-utilized in the new vehicles.

Patrol boats acquired

Three new patrol boats were acquired for use on Lake Erie, including a 25 foot Boston Whaler, a 26 foot Boston Whaler and a 19 foot Lund. The boats in use by our officers on Lake Erie in the past have mostly been sport or recreational boats adopted for enforcement use. These two new Whalers are dedicated enforcement boats. The Lund is utilized in a covert or “plain clothes” capacity and was obtained by trading in bass boats that were forfeited after seizure in a criminal case.

The acquisition of AR-15 style patrol carbines was begun for issuance to officers during calendar year 2011. Forfeited firearms and former law enforcement issued firearms were traded in to obtain the new rifles.

- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** None to report
- **Cost Savings Initiatives**
Automated License/Record System A new licensing system was developed for implementation during February 2011. An internet-based system; it is a complete package allowing for internet purchase of licenses, internet or over-the phone checking of deer and turkey, instant access to license purchase history, game-check history, arrest data, and revocations.

Fuel Gasoline costs continue to be an area of concern for enforcement vehicles. We are not yet operating under any fuel and mileage restrictions and hope to stay that way. Officers are encouraged to carpool with other officers and staff when attending functions, trainings, meetings, and other non-routine enforcement patrol or situations. We have also increased the replacement mileage on vehicles to 120,000 miles in order to reduce costs associated with vehicle replacement annually.

District Law Enforcement Supervisors and Headquarters Staff continue to be restricted in their use of state vehicles, and are only able to drive them on days when scheduled to be working away from their assigned office. This has caused an inability to respond to many situations.

- **Other Special Law Enforcement Issues** – None to report

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Association of Midwest Fish and Game Law Enforcement Officers

2011 Agency Report

State: OKLAHOMA

Submitted by: Capt. David Deckard

Date: June 1, 2011

The following report covers the period July 1, 2010 through June 30, 2011 (FY2011) 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 53 reserve officers who are agency employees assigned to various divisions with primary duties are other than law enforcement.

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

- **TRAINING ISSUES:**

All new game wardens undergo five weeks of in-house training and ten weeks in the Field Training and Evaluation Program with a Field Training Officer. In addition, they also attend the 600-hour Oklahoma Basic Law Enforcement Academy, all totaling nearly 30 weeks of training prior to solo assignment.

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.

The division implemented the IMPACT Project this year. 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 was changed to help cut the cost of our current plan because it is getting too expensive. We currently have a "defined benefit" and it

was 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%.

Four new game wardens were hired during this period. We are presently one officer short from being at full force.

We were able to purchase 20 vehicles and 1 boat this year. The vehicles are Chevrolet C-1500 four-wheel drive extended cabs. The Chevrolets were chosen this because of their 100,000 mile warranty. The equipment for this year’s trucks have been upgraded with improved LED lighting, bed lining, grill guards and new low band radios and in the truck mounted handheld high-band radios. The boat is a 20’ Sea Ark with 150 hp motor.

Funding has been approved for purchasing new rifles for the division to replace the old and cumbersome M-14s that were loaned to the agency from the Army. The rifles will be M-4 type .223 cal. with Eotech sights. The new rifles will be lighter and easier to handle than the M-14s. Ammunition cost will also decrease with the smaller caliber.

- **MAJOR CONSERVATION LAW ENFORCEMENT 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 its second black bear hunt in 2010. Thirty-one bears were killed on opening day surpassing the season limit of twenty for the year. Twenty-one of the bears were taken with crossbows which were legal for the first time without a special crossbow permit. 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 is currently purchasing an Operation Game Thief trailer to be used for various events and functions across the state. The 24’ trailer will incorporate a “Wall of Shame” and other education displays.

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 purchased smart phones for district chiefs and currently researching the feasibility of switching from standard cell phones to smart phones to help with communication.

The division issued laptop computers with air cards for our captains and lieutenants this year that help with e-mails and other record management work. Lieutenants will now enter arrest data for their areas to help alleviate the office workload.

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

Legislation was passed allowing the Oklahoma Department of Wildlife Conservation to join the Interstate Wildlife Violator Compact. The compact went into effect January 1, 2011 in Oklahoma.

A new law requiring restitution also went into effect as well that will make a significant difference for violators in the state.

New legislation introduced this year:

House Bill 1338: Modifying apprentice designated licensing options to allow persons 8 to 30 years of age to purchase apprentice designated licenses. Adjusting the age at which hunter education certification is no longer required from 35 to 30.

House Bill 1347: Providing for bail procedures for fish and wildlife violations and specifying that persons failing to appear for fish and wildlife citations shall have their hunting and fishing privileges suspended until they do so.

House Bill 1348: Providing that taxidermy specimens of native wildlife may be sold at an estate sale only if the specimen is part of the personal property of the estate and with written permission from the Wildlife Department director. Taxidermy of migratory birds is excluded and the provisions do not apply to farmed cervidae.

House Bill 1473: Removing the double-fencing requirement for export of farmed cervidae.

Senate Bill 494: Creates the "Oklahoma Private Lands and Public Recreation Act." Prohibits recreational trespass; provides that any local, county or state law enforcement officer may issue trespass citation to person violating provisions of the act; specifies that the landowner may receive a portion of the citation fine as

restitution; provides that any governmental entity which has issued a hunting, fishing or other license for recreational activity may revoke the license and deny permission to reapply for a replacement for up to one year from the date of the violation.

- **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. 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. One recent case involved over three hundred pounds of illegal caviar being seized.

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.

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AMFGLEO/WAFWA Law Enforcement Annual Report

State Report – South Dakota

By: Andy Alban

Law Enforcement Administrator

Division of Wildlife

South Dakota Game, Fish and Parks

This report covers the period April 1, 2010 through March 31, 2011 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: **60 conservation officers / 78 total officers in WL Division**

- **TRAINING ISSUES**

Over the past 3 years, the Division of Wildlife spearheaded a national effort to develop an interpersonal communications skills and human relations training program for conservation law enforcement officers. Startup funding for the “IMPACT (Interpersonal Management Program and Communications Training) – Conservation Law Enforcement Edition” project was provided by the Division of Wildlife while 14 other state wildlife agencies and 3 conservation law enforcement associations each contributed \$2,000 - \$5,000 in financial assistance toward development of this unique training program. In addition, five of the state wildlife agency partners, including South Dakota, contributed role players and video segments to facilitate development of the IMPACT DVD training system.

This specialized interpersonal communication skills training program recognizes the critical importance of human relations and effective interpersonal communications skills in the conservation law enforcement discipline. The IMPACT training program provides agencies with a validated, interpersonal communication skills training and officer performance evaluation tool designed to aid field conservation officers in their daily interactions with the diverse group of citizens they serve. The IMPACT Project identifies specific officer performance criteria and establishes standards for effective officer-citizen communication. In addition, the program provides correlated officer performance evaluation tools for use by field supervisors and training staff and creates an associated coaching and remediation program for conservation officers who may benefit from improved interpersonal communications skills.

Randy Means, a nationally recognized police legal advisor and law enforcement training expert from the firm Thomas and Means, LLP served as the principal developer for the IMPACT Project – Conservation Law Enforcement Edition. Mr. Means utilized a number of ‘subject-matter experts’, all who had extensive law enforcement experience and relevant, advanced academic credentials, to help develop IMPACT. The IMPACT project development team also included Greg Seidel, Director of Training for Thomas and Means and IMPACT Project Director, who coordinated final build-out of the advanced IMPACT DVD training system and delivered the associated training to our agency field staff, trainers and supervisors.

During the summer of 2010, all Division of Wildlife conservation officers attended a 1-day ‘Tactical Communications’ training session instructed by Mr. Seidel. During the same time frame, Mr. Seidel delivered a more comprehensive 4-day ‘Coaches and Assessors’ training session to Division of Wildlife conservation officer supervisors and agency field training officers. The more

advanced course was designed to provide supervisors and training instructors with the requisite background and tools to effectively evaluate officer performance and deliver effective coaching strategies in officer communications and human relations skills, where needed.

- **FUNDING AND STAFFING ISSUES**

Despite the effects of officer turnover, 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.

During the past year, changes were made to the state retirement system to provide for its long-term viability. Our state retirement system is still in good shape. An improving economy resulted in the system funding ratio increasing from 76% to 88% by the end of FY10. On the other hand, 2011 will mark the third straight year in which state employees did not receive a raise.

- **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

We were blessed to have steady licenses sales in 2010 that helped generate needed revenue to support law enforcement and other division programs. Sales were on par with those from the previous year (393,083 compared to 393,256 in 2009). These numbers represent the fourth highest annual totals dating back to 2000.

We held our first “antler auction” in June of 2010, as part of the Outdoor Expo that was staged at the State Fairgrounds in Huron. Approximately 185 bidders were in attendance to view around 275 different items/lots that included deer/elk antlers, bobcat pelts, mountain lion skulls/hides, tree stands and other unique items that were offered in an auction format. The majority of these items were obtained through years of conservation law enforcement activities. Gross receipts amassed \$30,000.

We began focusing more enforcement attention on occupational licensees in 2010, beginning with private shooting preserve permittees, taxidermists and fur dealers. By conducting administrative inspections, we hope to ensure compliance with our laws and regulations governing these commercial entities.

In order to control resident Canada goose populations, the department initiated an August management take in 2010. Residents were allowed to take geese for a 16-day period in eastern South Dakota. Approximately 3,500 hunters harvested just over 29,000 Canada geese during this period.

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

Officers in the southeast region focused on cultural “bridge building” efforts within the past year in the Huron area. Meetings were held with residents from

the Karen (Burma and Thailand origin) community to help them understand the hunting and fishing regulations. On one occasion, we were fortunate to be assisted by Minnesota Conservation Officer Thephong Le and Interpreter Saw Morrison.

Conservation Officers and USFWS Agents assisted in the execution of two search warrants of an unlicensed taxidermist in early-2011. Numerous intelligence reports were received on this individual in the months leading up to the detail. The intelligence proved to be valid with over 3,000 specimens, both legal and illegal, seized during the execution of the warrants. Multiple charges are pending at this time.

- **NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT**

State IT staff began building our department's case management system. The Law Enforcement Management System (LEMS) will create a new computer system that 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 hope to begin testing the system by September 2011, and implement it in 2012.

All enforcement radios were updated within the last year to comply with FCC narrow banding protocols. This meant reprogramming our extender radio pyramids or replacing older units altogether. Additionally, we anticipate our state radio system converting to P25 technology within the next five years or thereabouts.

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

The Department finally won its legal battle with a taxidermist from the northeast part of the state. During March of 2009, taxidermist William Klager refused to allow inspection of his business. After receiving a citation, Mr. Klager began the process of challenging the constitutionality (4th Amendment) of our taxidermy

law and associated inspection authority. In August of 2009, the Magistrate Court ruled that our taxidermy statute and its associated implementation did not violate the 4th 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 4th 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. Mr. Klager, through his counsel, appealed to the State Supreme Court. In March of 2011, the State Supreme Court (on a 3-2 decision) ruled that South Dakota's inspection system meets constitutional requirements. The two dissenting justices felt that the taxidermy inspection requirement was an unconstitutional search.

<http://www.sdjudicial.com/Uploads/opinions/25609.pdf>

Public water access issues continue to pop up in the eastern part of the state.

Examples of some issues include:

- Trespass cases with minnow traps and boats in public waters that touch private land
- Landowners blocking off portions of flooded roads to prevent the launching of boats
- Counties posting road rights-of-way (ditches) as closed to parking and boat launching
- Counties placing barricades and obstructions on roads to prevent public water access
- Incidents with vehicle damage near public waters that inundate private land

We had a busy Legislative Session in 2011. Several "bad bills" that were defeated include:

- HB1048 – An act to provide for the distribution of the proceeds of certain civil fines and civil penalties.
- HB1063 – An act to provide for the deposit in the general fund of the proceeds from the sale of certain contraband or abandoned items by the Department of Game, Fish and Parks.
- HB1068 – An act to require that certain land acquisitions by the State of South Dakota be conditioned upon subsequent legislative approval.
- HB1086 – An act to require the Department of Game, Fish & Parks to receive the approval of the Senate before acquiring certain land.

- HB1178 – An act to restrict the entry of conservation officers onto certain private land without permission.
- HB1210 – An act to provide for the lease of hunting rights on certain school and public lands.

Bills of significance that were passed include:

- HB1005 – An act to revise certain provisions pertaining to private shooting preserves.
 - HB1006 – An act to authorize certain air guns for use in hunting certain animals.
 - SB55 – An act to allow the shooting of coyotes from snowmobiles.
 - SB106 – An act to provide for reciprocal nonresident trapping licenses.
- **COST SAVINGS INITIATIVES**
The Department recently issued directives regarding vehicle replacement mileage. Depending on the vehicle (1/2 ton vs. ¾ ton), our patrol units will be retained until at least 120,000 or 140,000 miles.

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Association of Midwest Fish and Game Law Enforcement Officers
2011 Agency Report
State/Province: Texas
Submitted by: Colonel Peter Flores
Date: June 17, 2011

- **Training Issues**
 - The 56th Game Warden Cadet Class is 5.5 months into its training schedule. The class will graduate July 26, 2011. Much of the remainder of the schedule will be dedicated to reality based field, use of force and firearms training. The implementation of the [Prism Shooting Range Simulator System](#) has been integral to the firearms and use of force decision making training. The use of this system has also been a cost saving to the training budget.
 - The Law Enforcement Division is continuing to prepare for on-line peace officer training for field game wardens. This will be ready to go for FY 12 and FY 13. The Intermediate Boat Operations training for FY 11 is being implemented in the field for game warden in-service and will conclude August 31, 2011.
 - Construction at the [Texas Game Warden Training Center](#) has begun for Phase II. The firing range, maintenance shop, staff residence and front entrance should be completed by December 31, 2011.
 - Joint Enforcement Agreement — Texas Parks and Wildlife Department

(TPWD), in compliance with the Joint Enforcement Agreement with the National Marine Fisheries, has conducted five outreach events, educating over 300 commercial fishermen on Turtle Excluder Devices (TED) and By-catch Reduction Devices (BRD). These events were conducted along the entire Texas coast from Brownsville to Galveston. TPWD has also conducted several TED-focused operations in the Gulf of Mexico. These operations have netted 40 citations, confiscating approximately 20,000 pounds of illegal shrimp with an estimated market value of \$32,000. In addition, TPWD while enforcing Individual Fishing Quotas in regards to Red Snapper and Grouper, has issued approximately 20 citations with aquatic product seizure of approximately 19,000 pounds of illegal fish with a market value of \$33,000. TPWD also continues to conduct aquatic wholesale and retail dealer operations, ensuring the integrity of these operations and distribution of aquatic products within the State of Texas.

- **Funding and Staffing Issues**

- The 82nd Texas Legislature has been dealing with a projected \$27 billion shortfall for the next biennium. However, the legislature has made it quite clear that law enforcement in Texas is an essential service, and with that being said, has left Texas Game Wardens with their budget intact. The base budget is approximately \$58.4 million for each fiscal year of the next biennium. Additionally, dollars appropriated for training cadets has been set at \$1,696,000 during the first year and \$1,696,000 for the second year.
- Field operations and region and district lines were restructured along a span of control model on an average of 13:1 ratio on first-line equitability, dividing staff and resources statewide. See [Law Enforcement Regions](#).

- **Major Conservation Law Enforcement Trends**

- The Marine Enforcement Section works partners with, trains, and utilizes local law enforcement agencies enforcing Chapter 31 — Texas Water Safety Act. In order for any commissioned peace officer to enforce water safety regulations in Texas, the officer must be certified through TPWD's Marine Safety Enforcement Officer Program. See [Texas Marine Enforcement Sections Vessel Assets](#).
- Texas Game Wardens work in conjunction with the U.S. Coast Guard (USCG) and other port authorities protecting the nation's waterways and port infrastructures in marine activities throughout the Texas Gulf Coast.
- The [Texas State Guard Maritime Regiment \(TMAR\)](#) has become a close partner with TPWD. TPWD has developed a training course to introduce TMAR to the operations, tactical support, and search-and-rescue techniques

to be able to partner with TMAR in the event of natural disasters and other incidents that may require our participation.

- The Texas Fusion Center (TxFC) is comprised of four units: the Watch Center, Intelligence, Counterterrorism, and Criminal Case Support.
 - The Watch Center is a 24/7 unit that works with federal, state, regional, and local law enforcement and serves as the state repository for homeland security information and incident reporting. It provides real-time intelligence support to law enforcement and public safety authorities, and consolidates information and data on suspicious activities and threats from all jurisdictions and disciplines as well as the public. During emergencies or periods of increased threat, the Center may ramp up to receive and process additional information.
 - The Intelligence Unit supports law enforcement and criminal justice communities by providing analytical case development, as well as strategic and tactical case support to officers regarding criminal organizations, including transnational gangs, drug trafficking organizations, and emerging threats.
 - The Criminal Case Support Unit provides support to major crime investigations and special cases.
 - The Drivers License Fraud & Identity Theft section provides analytical support for various types of document fraud investigations, with particular emphasis on cases involving driver's license fraud and identity theft.
 - The Vehicle Theft section provides assistance for vehicle theft offenses, complex auto theft schemes, and other investigations in which a vehicle is linked to a suspect, victim, or witness (including homicide, sexual assault, bank robbery, burglary, missing persons, hit-and-run, narcotics).
 - The TxFC also supports other Criminal Investigations divisions and Texas Ranger Division investigations.
 - The Counterterrorism Unit works to reduce the threat of terrorism in Texas through information, analysis, and assessments in support of proactive multi-agency efforts to prevent attacks. The unit is a central point for all regional information regarding international and domestic terrorism-related issues from a variety of sources. The unit supports the Federal Bureau of Investigation in its counterterrorism mission where needed in Texas, working with Joint Terrorism Task Forces to aid investigations.

- The state and federal partners currently represented at the TxFC are:
 - Texas Parks and Wildlife Department
 - Texas Department of Public Safety
 - Federal Bureau of Investigation
 - Immigration and Customs Enforcement
 - Department of Homeland Security
 - U.S. Marshal Service
 - Texas Department of Criminal Justice

Under the TxFC, all agencies work together to provide timely information and analysis necessary to prevent and protect against all threats.

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

- Local Border Security — From funds appropriated in Local Border Security, the Texas Rangers Division within the Department of Public Safety (DPS) shall use \$27,665,351 in fiscal year 2012 and \$21,166,801 in fiscal year 2013 for a variety of border security expenditures, including but not limited to, overtime and operational costs for increased patrol and investigative capacity for certified peace officers (DPS, Texas Game Wardens, and local peace officers).
- Texas Game Wardens participate in what is called Border Star operations along the Texas/Mexico border. The agency works side by side with other local, state, and federal agencies protecting Texas' borders from criminal activities that can negatively influence the state while patrolling for game, fish and water safety violations. See news clip: [Changing Roles of Texas Game Wardens](#). Seizures include the following for the period of 2006 – 2011:
 - Boats on Falcon Lake (Rio Grande) — 237 valued at \$711,000
 - Motors on Falcon Lake (Rio Grande) — 236
 - Arrests – 169
 - Hoop nets on Falcon Lake (Rio Grande) — 94 valued at \$11,750
 - Gill nets — 958,266 feet or 175 miles valued at \$958,266
 - Marijuana — 22,072 pounds valued at \$17,657,600 (1,200 pounds were seized by the Texas Game Warden dive team in the Rio Grande on June 11, 2011)
 - Cocaine — 48 kilos valued at \$92,000
 - Cash (Game Wardens/DPS/Feds) — \$1,198,000

Total seizures valued at \$20,628,616

- Texas Parks and Wildlife Environmental Special Investigations Unit — Included in amounts appropriated for enforcement and compliance support is \$225,000 for the purpose of supporting the TPWD's Environmental Special Investigations Unit to enforce state and federal laws on illegal

dumping. This appropriation is contingent on a memorandum of understanding and an interagency transfer of the funds between TPWD and Texas Commission on Environmental Quality to jointly administer the program.

- Interstate Wildlife Violator Compact — TPWD has actively been monitoring and ratifying suspensions entered into the Compact since becoming a member of the Compact on May 30, 2010. TPWD has entered mandatory license suspensions into the Compact for other member states to ratify, as applicable. TPWD has been entering failure to appear suspensions on Texas residents who have failed to comply with a citation received in another member state. TPWD is still working with its point-of-sale vendor, Verizon, to automate the denial of a license sale to a person with a ratified suspension in the Compact.
- U.S. Fish and Wildlife Service agents and TPWD's Special Operations Game Wardens conducted [Lacey Act Investigations](#) related to the illegal importation of white-tailed deer from several states. The investigation began in 2005 and culminated with fines of \$1 million against an East Texas permitted deer breeder.
- **New Innovations in Conservation Law Enforcement**
 - The TPWD Law Enforcement Division's Underwater Search and Recovery Team ([Dive Team Photo](#) – see last photo) completed several key missions during the preceding year and proved themselves to be a key asset to the State of Texas. Early in the year, Texas Rangers called on TPWD's Dive Team to search an isolated private lake in Greg County for missing items belonging to the victim of a homicide. The ranger and investigators were shocked when divers surfaced with a loaded 9mm pistol now believed to be the murder weapon. A confession was later obtained. Rangers and the DPS Dive Team later called upon TPWD Dive Team members to assist them with the search of another private lake for evidence related to a homicide near Kilgore, Texas. Actual "fired" bullets, believed to be from the murder weapon, were found in the muddy bottom of the lake and were used to further the investigation. In May, dive team members conducted an Introduction to Public Safety Diving course for 18 members of the Texas Governor's Executive Protection Detail Team and the Texas Maritime Regiment. The TPWD Dive Team also participated in the recovery efforts of several drowning victims, making recoveries and assisting with locating victims by sonar. Finally, TPWD's Underwater Search and Recovery Team participated in Operation Iron Horse on the Texas–Mexico border. There they worked in conjunction with the DPS Dive Team, Texas Rangers, other Texas Game Wardens, U.S. Border Patrol, and DPS Criminal Investigations

Division to recover many vehicles that had been run into the river by drug smugglers who were trying to avoid capture by Texas authorities. TPWD Dive Team members recovered over 1,200 pounds of marijuana during this operation, with a total inland-street value of \$6 million.

- Because the [Operation Game Thief Program](#) (OGT) for TPWD is funded primarily from private donations, we have been extremely busy working on two major annual fundraisers, Austin and San Antonio, with additional fundraisers slated for the first part of 2012. The fundraiser in Austin attracts the governor, as well as other state legislators and business owners. The San Antonio fundraiser will include many major South Texas ranchers and landowners as well as major sporting goods sponsors. The program's primary focus is on providing much needed specialized equipment for Game Wardens and approving rewards for tips to the 24/7 OGT hotline for reporting hunting, fishing and water safety violations. Since September 2010, OGT has awarded over \$6,000 in rewards to callers.
- New advances in the OGT program include:
 - The utilization of new technology for reporting violations is being reviewed by the OGT Committee, which will allow the use of Text Tips — reporting violations by texting in complaints to the 24/7 OGT dispatch center.
 - A new reporting system that allows Spanish speaking callers to call in complaints to the hotline is nearing completion.
 - New “NO TRESPASSING” signs in Spanish, are now available to the public.
 - One hundred new Texas Department of Transportation “Report Poaching” road signs were placed on major roadways throughout the state.



- Lamar advertising's roadside full-size billboards such as the following:



- The Texas Game Warden marine fleet has grown and moved wardens forward into the 21st century. The fleet has increased safety on the water and has improved surveillance and enforcement on the coast, the border and on inland lakes and rivers. The [marine fleet](#) consists of:
 - 11— 29-foot SAFE Boats
 - 3 — 21-foot SAFE Boats
 - 2 — 29-foot SAFE Boats on order
 - 1 — 38-foot SAFE Boat on order to be used on the mid-coast

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

- The 82nd Texas Legislature passed a boater education bill ([HB 1395](#)) that will require an operator who is born after September 1, 1993 to have completed a boater education course in order to operate a motorboat on the public waters in Texas. This was a milestone accomplishment because Texas has been working for over 10 years with our legislators to achieve this goal.
- [HB 2141](#) codified in statute that Texas Game Wardens are the primary water safety enforcement officer in Texas. Any peace officer who enforces the Texas Water Safety Act must be a Marine Safety Enforcement Officer (MSEO) in Texas. TPWD is tasked with certifying all MSEOs, including game wardens, deputies, police officers, constables and river authority officers.

- **Cost Savings Initiatives**

- Texas has developed cost savings initiatives in the area of civil restitution collection. The Law Enforcement System (LES), a software program that tracks citations and civil restitution notifications and payments tracks civil restitution amounts that meet a threshold of prosecution by the Texas Attorney General's Office (AG). Officers are required to produce detailed offense reports for cases that meet this threshold and information is forwarded to the AG office for prosecution. In conjunction with the established ability to block license privileges of persons not paying civil restitution, following up for civil prosecution, and auditing of pending citations compliance has increased. Currently, with three months of the fiscal year to go, civil restitution revenue is up 15 percent or \$60,000 over what was collected for fiscal year 2010.
- Texas is the third state that allows game wardens to do direct entry of boat accidents into the USCG's database. This process creates an efficient and effective solution to data entry and removes redundancies in the reporting process. This program creates a two-tier review process that reduces the number of follow-up report requests by the USCG.
- Texas Game Wardens have transitioned to the use of the Law Enforcement Advanced DWI Reporting System (LEADRS) for reporting all boating and driving while intoxicated offenses. This program gives efficient and effective report writing capabilities to all the officers in the field and allows for more effective use of the data entered. The program gives TPWD the ability to gather geospatial data on alcohol-related offense locations and use such data in proactive enforcement efforts.

Other Special Law Enforcement Issues

- Texas like many other states is facing [Invasive Species](#) in Texas waterways, which includes zebra mussels and giant salvinia. Texas has increased awareness through media blitzes and use of the Internet.
- Texas Game Wardens are now operating under a mandatory body armor wear policy, except while patrolling on a vessel. Two different types of Point Blank body armor are provided to the wardens. A concealable vest [Point Blank Vision II](#) is worn underneath the shirt, and the [Tailored Armor Carrier or TAC](#) is designed to be worn over the shirt. The TAC features two multi-functional pockets, convenient side opening and a contoured shape for total comfort. The TAC is tan and matches the Texas Game Warden uniform.
- Have a Life's Better Outside® Experience — Get Your Hands on the Great Outdoors!

The annual Texas Parks & Wildlife Expo, held in Austin for 17 years, has been taking the show on the road. TPWD has partnered with select stock shows, rodeos and other family-oriented cultural events to present the Life's Better Outside® Experience.

The Life's Better Outside® Experience brings hands-on outdoor activities such as rock climbing, archery, fishing and a whole lot more. The public can find out about nearby state parks, good spots to go fishing, places to go paddling and much more. TPWD staff also helps connect families with local outdoor groups. Even if someone has never been camping, fishing or hunting before, staff helps them get started at these events.

Texas Game Wardens participated in this popular outreach at the following events:

- February 19–20, 2011
San Antonio Stock Show and Rodeo
- March 5–6, 2011
Houston Livestock Show and Rodeo
- May 7–8, 2011
Mayfest, Fort Worth, TX

Texas Game Wardens Serving Texans Since 1895 - Law Enforcement Off the Pavement



Association of Midwest Fish and Game Law Enforcement Officers

2011 Agency Report

State/Province: Wisconsin

Submitted by: Chief Warden Randy Stark

Date: April 13, 2011

- **Training Issues**

Annual law enforcement recertification training was conducted starting in January for permanent wardens, deputy wardens and wardens from the Great Lakes Indian Fish and Wildlife Commission. Elements of the training included legal update, water safety, firearms, tactical response, defensive tactics, professional communications, drug enforcement, vehicle pursuits, safety program updates and invasive species enforcement.

On January 1 the state began a mandatory program to have all law enforcement officers collect data from each traffic stop. To meet this mandate we used online training to prepare our wardens for this initiative. In addition, training was completed in the use of Badger TraCS. This is an electronic citation issuance process that allows us to create citations using our computers rather than writing them by hand.

- **Funding and Staffing Issues**

2011 was the second year of the biennium, which in most cases allows the Bureau of Law Enforcement to maintain a similar budget as the prior year. However, 2011's budget was slightly smaller for several reasons. The Bureau was required to reduce spending in salary and operations by approximately \$2.2 million due to various cuts, lapses, furloughs and unfunded provisions.

Currently the Bureau is holding 35 vacant positions, 30 of which are credentialed positions; others are noncredentialed support. The Bureau is completing a 2010 recruit class of 10 wardens, which will help with the 30 vacancies. As well, the Bureau hired another 3 wardens (late March) who will be ready to be stationed in April/May 2012.

The station fills using recruit hires will be offset by the fact that retirements are occurring at higher than normal rate. Some retirements are occurring with very short notice which puts additional strains on stressed budgets due to cash out payments for unused leave, sabbatical, and comp time payouts. Several more retirements creating even more vacancies will come about between April 1 and June 30, 2011.

At the time of this report, there are proposals in the next biennial budget for recruit classes, radio technology, and new computers in the 2012/13 budget if the Legislature approves the Governor's budget as announced.

The Port Security Grants continue to provide needed equipment and funding to not only cover port security related needs, but it can also be used for enforcement efforts in boating, fish, game and environmental enforcement efforts. These funds have come with no match requirements this last year. In

previous years there was a 25% match. The department has received over \$1 million dollars in grants in the last two years.

The Special operations unit that investigates mostly fish and game related cases currently has a staff of three, a supervisor, a north-east regional investigator and a captive wildlife administrator. At full compliment, the Unit would normally maintain nine staff (4 additional regional investigators and two UC officers).

Our Recreational, Enforcement & Education Section that handles all snowmobile, ATV, Boating and Hunter Education training, the Learn to Hunt program, volunteer instructors and Internet learning normally has a work force of 10 full time staff and 3 part time workers. Due to vacancies, we currently have 5 full time staff and 2 part time staff that are managing almost 10,000 volunteers, hundreds of education classes and processing almost 30,000 student graduates.

We have been asked by our new administration to change our structure form decentralized authority to line authority. Plans have been submitted and we are currently waiting on an approval. If our plan is approved, we don't anticipate much will change since we have already operated semi-line prior to the plan. The plan, due to some recommended changes, did cause us to review and attempt to better manage span of control.

In 2010 Wisconsin hired a fulltime Hunting and Shooting Sports Coordinator to focus efforts on hunters recruitment and retention and the promotion of shooting sports. Current programs include a "Mentored Hunting" (2009), a formal Learn to Hunt Program and potential partnership with Archery Trade Association in development of archery ranges.

- **Major Conservation Law Enforcement Trends**

Thrill Killing - Conservation wardens are continuing to investigate an increasing number of "thrill killing" cases involving groups of teenagers and young adults across Wisconsin. "Thrill killing" is a popularized social term used to describe the illegal killing of wildlife by an individual(s) motivated solely by the excitement of the act. It is not a legal term, but one used to describe behavior. In 2011, wardens in the Northeast Region apprehended 12 males from 4 counties who killed approximately 60 wild animals over a 2 year period. In this case, some evidence was obtained through social networking. In 2009, 15 adults and juveniles were charged with pursuing, shining and killing wild animals with clubs and bats south central Wisconsin. In 2005, 20 cases were characterized as "thrill killing" incidents and 17 cases in 2006. Most of the cases involved groups of two to five, and three of the cases involved at least 10. Additional report information is attached in Word documents.



Thrill Killing Cases
Synopsis.doc



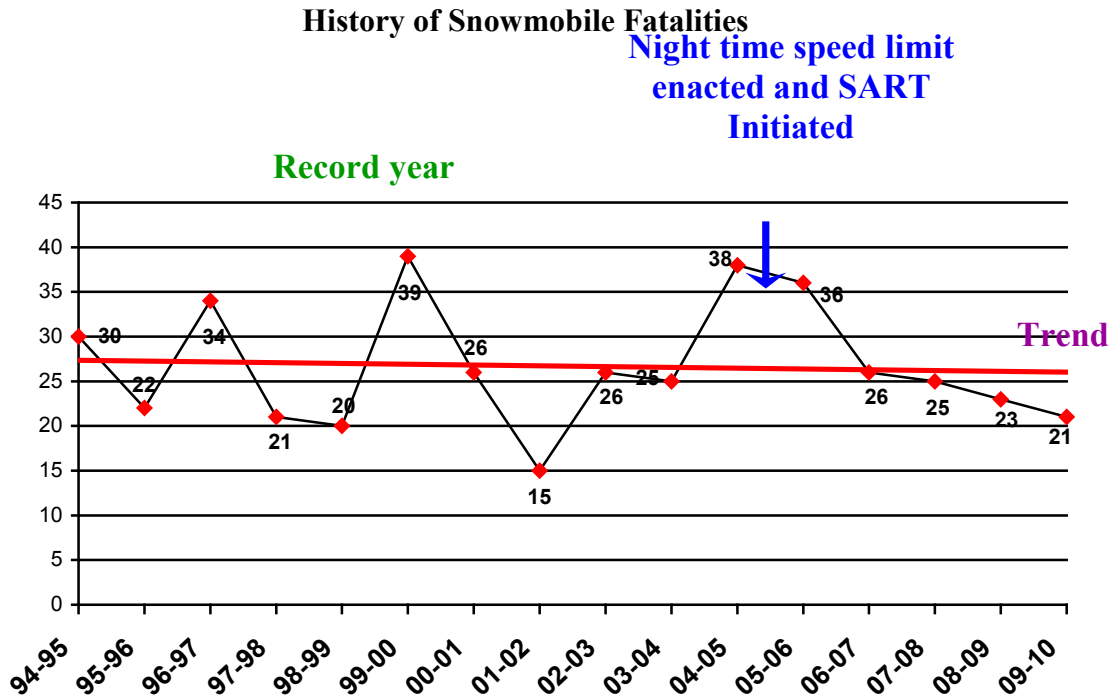
2008 THRILL KILLING
ACTIVITY SURVEY RE

Drug Grows – There has been an increasing number of marijuana grows being discovered on public lands across Wisconsin. Federal, state and local law enforcement agencies have been working cooperatively to address this trend through both apprehension and eradication efforts. On August 11, 2010, in excess of 200 federal state and local law enforcement personnel (including a dozen conservation wardens) representing over twenty agencies converged on locations and suspects connected to marijuana grow operations in Oconto and Menominee Counties in Northeast Wisconsin. Several individuals suspected of involvement in this operation have been taken into custody and are facing federal charges. Conservation wardens bring some valuable skills, knowledge, abilities and equipment to these investigations.

Environmental Enforcement – The Department is responsible for protecting public health and the state's air, land and water resources through the implementation of a variety of laws. Civil violations are resolved using a Stepped Enforcement process that is intended to resolve violations at the lowest level appropriate for the circumstances. The steps include issuing Notices of Violation, conducting Enforcement Conferences, issuing orders or developing cases for prosecution by the Wisconsin Department of Justice. Wisconsin also has a group of specialized Wardens who focus their efforts on criminal environmental violations. In 2010, the Department issued 457 Notices of Violation, held 229 Enforcement Conferences, issued 26 orders and referred 51 cases to the Department of Justice, 3 for alleged criminal violations. In 2010, the Department of Justice obtained more than 3.7 million dollars in penalties for environmental law violations. More importantly, the actions resulted in changes to behavior and restoration of affected resources to help ensure that Wisconsin's citizens have clean air, land and water as well as healthy habitats for fish, wildlife and outdoor recreation.

Hunting Incidents – 2010 was the safety firearm deer gun season since 1974 with no fatal hunting incidents occurring during the November deer gun season. Wisconsin has approximately 5,000 volunteer Hunter Education Instructors who graduate over 28,000 students annually. Wisconsin Hunter Education program expects to graduate its 1 millionth student within the next 12-16 months.

Snowmobile Enforcement – For the 6th consecutive year, Wisconsin ended the 2010-11 snowmobile season with fewer fatalities. Bureau of Law Enforcement feels the decrease is attributed to a combination of public outreach and education, regulation changes (nighttime speed limit), volunteer safety instructor efforts and development of SART (Snowmobile Accident Reduction Team).



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

Personnel Cross Training - The Special Operations Unit, which investigates most fish and wildlife related cases and the Environmental Crimes Unit, which deals mainly with Environmental cases found that it was beneficial to combine forces and share resources more frequently. The sharing requirement came about because of personnel changes. The two units now share staff with regard to search warrant development and service, electronic surveillance installation and monitoring, training, limited fund expenditure and case investigation.

Demonstrations - Wisconsin was in the national news as a result of changes that were occurring legislatively with collective bargaining and budgets. As a result, hundreds of thousands of people demonstrating the changes came to the Capitol building in Madison. DNR Wardens, Park Rangers and Forestry Rangers were called to action to assist in crowd control for 27 days. Many of our DNR law enforcement leadership staff were placed in high level ICS positions based on our training and experience. Each day, anywhere from 200-400 police officers involving State Patrol, Sheriffs and City Police participated in the law enforcement effort. There were no major incidents and only a handful of arrests were required.

Snowstorm response has become a normal expectation for the Warden Service. The last few years has brought about the need for state, local and county officials to involve wardens in search and rescue and property assessment issues because of training and equipment capacity. December brought about another snowstorm that prompted wardens to saddle up snowmobiles for public safety and response. And now with spring rains and storms occurring, we again expect to be busy with public safety component as the flooding season arrives.

Interoperability - Law Enforcement is continuing to alter radio configurations to be more interoperable. The summer of 2011, all conservation warden vehicles, boats and portables will be equipped with trunking capability. As well, the radios will be narrow banded.

AVL and Netmotion – The Bureau has partnered with the State Patrol to use their systems provide all Warden Squads with the Automated Vehicle Locator system and Netmotion. Using GPS, the AVL system allows the warden squads to be tracked in the event of an officer emergency and they can be located quickly for the officer's safety. This also provides operational awareness during major disasters as to the location of resources. Netmotion allows the wardens to be on multiple IP addresses while in the squads working, thus allowing for MDC use along with internet and other program uses without logging out of one and then logging into another. This has allowed the wardens to be more efficient in their day to day operations.

Project 87 - Over the last 2 years, our Special Operations Unit engaged in a project called Project 87. This project involved cross matching convicted felon records with DNR gun deer harvest records. In the end, literally hundreds of potential felons using a firearm cases were examined by wardens statewide. There were too many cases to handle so potential cases were categorized as A, B C felons – The most concerning felons were “As” (murder, rape, etc). “C” felons were lower class felonies, (bad check writers, etc). A snapshot of the current results showed (as we suspected); that having a felony status does not necessarily preclude a felon from using a firearm.

Year 1	# of A Felons	# of B Felons	# of C Felons
DNR Violation Charged	15	6	117
	out of 46 cases	out of 34 cases	out of 1768 cases
Potential Felony Charge	8	3	179
	out of 46 cases	out of 34 cases	out of 1768 cases
Year 2	# of A Felons	# of B Felons	# of C Felons
DNR Violation Charged	18	5	23
	out of 47 cases	out of 7 cases	out of 472 cases
Potential Felony Charge	6	1	24
	out of 47 cases	out f 7 cases	out of 472 cases

This work removed felons from the recreational environment and aligned with our strategic goal of creating a safe and enjoyable outdoor recreational experience in Wisconsin. We worked jointly with local police sheriffs and Federal ATF.

Joint FBI Training - The NER Marine Enforcement Unit conducted a joint marine exercise with the FBI SWAT teams from Detroit, Chicago, Milwaukee and Twin Cities. The FBI teams needed to have a marine exercise to maintain their “marine certification” for their SWAT teams. A problem arose that the FBI's tactical boat operators were committed to other areas. So the FBI decided to try to partner with local assets - USCG, DNR, and local police to try their boat operators and boat platforms. The 3 day exercise consisted of static boardings of Great Lake freighter and underway boardings of a USCG buoy

tender. The FBI and MEU are in the process of planning a future exercise due to the success of the first.

Joint Tactical boat Operation Training – The Warden Service received a port security grant to receive 3 Tactical Boat Operation training classes in the ports of Green Bay and Milwaukee. Through actual events and exercises it was determined that all agencies working together on Port Security needed to have the same training. This training will put local, state and federal agencies on the same level of training and response when dealing with emergency boat operation in these port areas.

Group Septage Audits - The Bureau expanded on cooperative enforcement efforts with county governments and USEPA during group audits of septage haulers. The unique approach for improved compliance combines training opportunities for department wardens, environmental enforcement specialists, and wastewater staff through classroom instruction coupled with an onsite business audit of a local hauler. Following the staff training, compliance teams meet each hauler at their business location for truck, record, and field inspections, plus follow-up enforcement as needed. The group audits 1) foster interagency communication regarding compliance within this business sector, 2) upgrade staff competencies, 3) provide opportunities for education, interaction, and exchange among haulers and regulators, and 4) promote enforcement consistency.

- **New Innovations in Conservation Law Enforcement**

The Bureau of Law Enforcement has expanded its' capabilities for underwater investigations, inspections, surveys and recovery through the use of Remotely Operated Vehicles (ROV's). These underwater "robots" are equipped with the latest technology including multi-beam and scanning sonar, hull crawlers for ship hull inspections and manipulators for retrieving evidence and body recovery and are also equipped with radiological detection units . In addition, accessories capable of recording search areas along with video recording and enhancement make this an extremely important and potent tool in a relatively untouched field.

The Bureau of Law Enforcement has partnered with several other programs in the Department as well as other state law enforcement agencies to purchase an aerial FLIR mounted on DNR twin engine aircraft that has a microwave downlink so that officers in the field can have real time awareness of what the airplane pilot is observing from the air during major operations. The Law Enforcement Bureau received funding through the Port Security Grant Program to fund the equipment purchase, and by using department owned aircraft that are operated by the agencies Forestry bureau were able to make this equipment functional at a low cost.

LE is working with a University on a new (to us) technique that looks very promising and in a way that is similar to strontium or DNA sampling. This

technique promises to rule out or rule in animals taken from certain geographic areas. It could be very productive for proving or disproving interstate commerce allegations. We hope that the current case we're investigating allows us to report this potentially helpful and exciting method in the next report.

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

TSDC - The state of Wisconsin entered into a racial profiling monitoring program as a result of a new law that became effective January 2011. WDNR (as are all LE agencies) is required to capture traffic stop data on all traffic stops. Traffic stops for wardens are not common, but implementing the law on Traffic Stop Data Collection (TSDC) did require training and implementation.

The training component and material delivery to field staff for TSDC was accomplished using a couple of methods that came about as a result of trying to save even more operating costs. Some of the methods we used were self-teach (using PowerPoint and written policy), MS-Live Meeting and we used face to face team meetings. In the end, we tested proficiency and learning by using an Internet based quiz that was developed in house using Survey Monkey. All "warden students" were required to receive a passing score of 100%, which was accomplished.

The TSDC data capture process was built into an existing electronic citation issuance program (TraCS) that runs on each warden's computer. Efficiencies were built into the program such that if a citation were issued, the defendant information and officer information would pre-populate the traffic stop report.

- **Cost Savings Initiatives**

We've started a program to bring back retired conservation wardens as limited term employees to conduct law enforcement background investigations during our permanent warden and deputy warden hiring processes. So far 2 retirees have come back to do this work and the results have been excellent.

TraCS - In January 2011, all wardens were equipped with an electronic citation issuance program (TraCS) that allows wardens to issue citations using the computer. Although the system is not entirely paperless, one could send a citation to a defendant via email if that was agreed to. Wardens were also equipped with portable (squad) printers. We are still in the last leg of the development stage but when complete, the warden should be able to type out a citation press a computer "send" key and the citation will be directed to the court, the district attorney and the DNR's citation database files. Completed dispositions from the courts will electronically flow back to the department. The cost saving measure should net the department approximately \$25,000 annually. DNR's software development cost \$0; it was all developed by the state's DOJ. We did spend approximately \$36,000 on printers, but that cost will be recouped in the second half of year two.

- **Other Special Law Enforcement Issues**

Water Guard - In 2008, a proactive aquatic invasive species team was put into action; they were called Water Guards. The Water Guards are deputy wardens and were assigned to specific geographical areas throughout Wisconsin. The

Water Guard role was to educate lake, river and stream users of the rules and regulations to prevent the transport of aquatic invasive species.

Through their work, Water Guards found that the highest return on education investment was when they directed efforts towards shore anglers, retail outlets and Internet sales. The public has come to expect contact with water guards and in 2011/12 they will encounter additional effort when the BLE acquires a high pressure heated spray wash unit to wash down boats and trailers coming off lakes. The purpose of the wash unit is to help further the educational effort and reduce the spread of exotic and invasive species.

Harmony in the Woods - Our Harmony in the Woods initiative achieved three milestones in Sheboygan County in 2010, as it endeavors to narrow the gap in Hmong / white hunter relations.

- 1) Hmong hunters officially formed the Hmong American Sportsmen Club (HASC). Led by two Hmong hunter education instructors, it includes people across several generations. DNR Chief Conservation Warden Randy Stark served as guest speaker at the new Club's opening ceremony in August 2010.
- 2) Members from Sheboygan's majority white conservation gun clubs and the newly-formed Hmong American Sportsmen Club ran a joint Learn to Hunt pheasants program in September 2010. DNR Conservation Wardens John Plenke and Mark Pearce co-led the event and organized its training components.
- 3) A member from the Hmong American Sportsmen Club was elected in Spring 2011 to serve on the Sheboygan County Conservation Association Board of Directors.

The Harmony in the Woods initiative also saw three Hmong deputy wardens hired in 2010 to serve as Water Guards in Law Enforcement's quest to control the spread of aquatic invasive species.