

# **Law Enforcement**



**2014**

**Annual Agency Reports**

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

## **2014 Annual Agency Reports**

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**Association of Midwest Fish and Game Law Enforcement Officers**  
**2014 Agency Report**  
**State/Province: Alberta**  
**Submitted by: Alberta Fish and Wildlife Enforcement Branch**  
**Date: 2014/05/15**

**Training**

The Alberta Fish and Wildlife Enforcement Branch provided an advanced, five day Human Source Handling course to the majority of field officers over the past four years. The course is a mix of classroom lectures, scenario-based examples and a variety of audio/visual presentations. At the conclusion of the program, students participate in actual scenarios for assessment and training purposes.

It is beneficial to have several years of field experience before taking the course. Recruits receive an introductory *Intelligence in Law Enforcement* course at the academy and a one-day *Introduction to Human Source Handling* soon after graduation.

**Funding and Staffing Issues**

The Fish and Wildlife Enforcement Branch is one of several branches assigned to the Public Security Division of Alberta Justice and Solicitor General. The branch maintains a presence across the entire province with 143 sworn members, 25 administrative support staff and infrastructure situated in 57 districts (plus headquarters in Edmonton). The branch mandate includes conservation law enforcement, problem wildlife management and public education and outreach.

**Retirements**

A significant number of officers retired over the past seven years and the branch has been actively recruiting to fill vacant positions. The branch has recruited 45 officers in seven years. Following this year's recruitment, 50 per cent of the fish and wildlife officers in Alberta will have less than eight years of service.

**Administrative support issues**

When the Fish and Wildlife Enforcement Branch was moved to Alberta Justice and Solicitor General in the fall of 2011, more than half of its clerical positions were held back in the old department. Work is still underway to secure additional positions.

**Problem wildlife program delivery**

Four new regional problem wildlife positions were created in 2013. These positions are responsible for hiring, training and supervising a contingent of problem wildlife control technicians that conduct routine problem wildlife duties on a seasonal basis, thus allowing field officers to focus more time on conservation law enforcement duties.

## **Contracting retired officers for in-service training**

Recent retirements have diminished the number of in-service instructors for a variety of disciplines (firearms, defensive tactics, boat operations, etc.). In 2014 a number of retired instructors from the Fish and Wildlife Enforcement Branch were hired back on contract to meet training demands.

## **Budget**

The Fish and Wildlife Enforcement Branch is adequately funded with a \$21.7M annual budget. The branch enjoys full support from the department to fill all vacancies and is currently drafting a business case for additional officer positions.

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

### **Special Investigations Section – Major Investigations and Intelligence Unit (MIIU)**

The Special Investigations Section is the designated liaison for the sharing of intelligence and the facilitation of wildlife and fisheries investigations that transcend provincial or international boundaries. To accomplish this function, the Major Investigations and Intelligence Unit (MIIU) has established formal information sharing agreements with over 30 state and federal resource law enforcement agencies in the U.S. and regularly participates in cooperative enforcement efforts with resource agencies in all provinces and territories in Canada. These interprovincial and international investigations present very unique challenges for evidence collection, the ability to compel individuals to respond to charges (accused and witnesses), and the coordination and presentation of evidence within court systems in multiple jurisdictions. Successful investigation and prosecution of investigations of this type often requires the formal invocation of procedures that are defined within Mutual Legal Assistance Treaties that exist between Canada and many other countries.

### **Joint forces operation with the Edmonton Police Service**

This project was initiated by fish and wildlife officers who were investigating a night hunting suspect operating in and around the City of Edmonton. Officers engaged the services of the Edmonton Police Service helicopter and several police officers living in the area to provide additional intelligence. On the night the suspect was arrested, the helicopter and onboard FLIR thermo imaging camera provided proof of a deer in the back of the suspect's truck.

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

### **Smart phone tracking application**

Fish and wildlife officers in Alberta are monitored 24/7 by the Provincial Radio Control Centre (PRCC). Working with an Alberta-based company, the PRCC developed a smartphone application that allows officers to sign on and off duty with the centre. The application can run on any Blackberry, iPhone or Android platform. The application allows an officer to set an off duty time, provides for regular check-in at 100 minute intervals (or sooner) and allows the officer to easily notify PRCC that they are conducting a compliance check. All communication between the officer and the centre is conducted electronically using the smartphone data plan. Every time an officer sends a status update (by pressing an on-screen button) or moves more than 250 metres, the officer's GPS location is sent to PRCC and is displayed on their computer screen. On-screen buttons allow an officer to notify of an emergency or send a request for assistance. If an officer does not check in on time, a radio/telephone call is made to the officer by the

PRCC to check their status. When an officer is outside cellular coverage, safety communication is supplemented by a satellite-based device.

### **Mobile office**

The Fish and Wildlife Enforcement Branch issues a Panasonic toughbook laptop computer to each officer. The computers are docked in each patrol unit and provide access to all databases and applications while in the field. This year the branch will be testing six ruggedized tablets (Panasonic toughpads) for use and possible replacement for the toughbooks. The tablets are less expensive, lighter and potentially more user friendly than the toughbook. In addition to the laptop computer, each patrol unit is outfitted with an incident capture system (Watchguard 4E). Patrol units are equipped with a silent partner partition to secure one prisoner behind the front passenger seat and the officer's kit and gear behind the driver's seat. A rifle and shotgun are both racked between the front seats next to the partition. Standard patrol units are a Chevrolet 2500 HD crew cab 4x4 and a Ford F-150 super crew 4x4 SSV (for less rugged districts).

### **Computer-aided dispatch and records management system**

The Fish and Wildlife Enforcement Branch has recently completed a business case to adopt a software package that will provide computer aided dispatch and a new records management system. The system is currently owned by the department and is in use by other divisions. It is intended to achieve efficiencies in data collection, enhance collaboration with other enforcement branches and improve officer safety.

### **A new radio system is coming**

The Fish and Wildlife Enforcement Branch currently conducts all communications using smartphones, mobile field office computers and satellite phones. On January 1, 2016 a new provincial radio system will be fully operational to support emergency services agencies in Alberta. The Alberta First Responders Radio Communication System will provide radio communication and inter-operability between all first responders province-wide.

### **Case file management**

To aid in the management of major investigations, the Special Investigations Section uses an electronic case management software package called X-Fire (Cross Fire). The system can be used to store and manage large amounts of investigative information. It can perform automated analytical functions and generate electronic disclosure packages.

### **Fish and Wildlife Enforcement Branch forensic lab**

The latest technology: using DNA to identify lake-of-origin for walleye

The Fish and Wildlife Enforcement Branch forensic lab recently developed technology to identify the lake-of-origin of walleye using DNA samples. Last year this technique was used to convict an individual found with a large number of walleye fillets at one lake claiming they were purchased from a commercial fisherman at a different lake.

## **Legal Challenges/Court Decisions Impacting Natural Resources Law Enforcement**

### ***Regina vs. Hirsekorn***

The Métis are one of three distinct Aboriginal peoples of Canada, recognized under section 35 in the 1982 Constitution.

The *Hirsekorn* matter arose out of protest hunts that were initiated by the Métis Nation of Alberta (MNA) in 2007 following the termination of the Interim Métis Harvest Agreement and the introduction of new provincial policy governing Métis harvesting. The policy is based on a decision from the Supreme Court of Canada in 2003. The policy recognizes 17 Métis communities and eight settlements - none of which are located in southern Alberta. Alberta maintains that Métis did not have an historical presence in southern Alberta and therefore have no harvesting rights in that area. The MNA argued their harvesting rights extend province-wide and that MNA membership alone satisfies the Supreme Court of Canada criteria. About 20 people were subsequently charged with wildlife and fishery offences. All of the matters were placed in case management while one from southern Alberta eventually went to trial.

After a 40-day trial with multiple witnesses, Hirsekorn was found guilty of hunting during a closed season and unlawful possession of wildlife for killing a mule deer near Elkwater, Alberta. His efforts to appeal the verdict were not successful. The Alberta Court of Appeal ruled that Métis harvesting rights do not exist in southern Alberta (because of the lack of an historic Métis presence) and that membership with the MNA alone is not proof that a person meets the elements of the Supreme Court's decision.

### **Cost Savings Initiatives**

#### **Results based budgeting**

The Fish and Wildlife Enforcement Branch is currently participating in a government-wide initiative referred to as "Results Based Budgeting". The goal is to find efficiencies and make improvements in the delivery of public services across all departments. There is significant public support for conservation law enforcement in Alberta and the branch hopes to see benefits arising from this initiative.

#### **New cellular communication plan**

The Fish and Wildlife Enforcement Branch has recently moved away from a standard cellular phone and has issued all officers with a Blackberry. New competitive pricing plans have led to a 60 per cent decrease in monthly phone bills.

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

#### **Project Based Enforcement**

When challenged with manpower shortages, the Fish and Wildlife Enforcement Branch identified project-based enforcement operations as a useful strategy to maximize resources to deliver an effective conservation law enforcement program.

Each district across the province must complete a district operations plan to identify enforcement priorities. The district fish and wildlife officer then identifies the resources required to address those priorities. Unit inspectors then meet to review the priorities. Resources, human and financial, are then allocated across the province to address high priority operations.

## **Provincial surveillance team**

The Fish and Wildlife Enforcement Branch maintains a provincial surveillance team to effectively and discreetly monitor suspected illegal activity and, utilizing mobile, static and technical surveillance techniques, obtain intelligence and/or evidence in a timely, legal, and professional manner.

The Fish and Wildlife Enforcement Branch has made a concerted effort to modernize and enhance the technical capabilities of the surveillance team by using remote camera systems and other specialized equipment to assist in gathering evidence and increase the effectiveness of team deployments. This capacity has helped secure important evidence in several high profile poaching investigations, leading to numerous convictions resulting in heavy fines, orders for restitution, equipment/vehicle forfeitures, licence suspensions and jail sentences. The surveillance team has been called into service by police agencies to aid in their investigations into organized crime activities and has made significant contributions to the successful outcome to those investigations.

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**Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report  
State/Province: Colorado Parks and Wildlife  
Submitted by: Bob Thompson, Lead Wildlife Investigator  
Date: 5/12/2014**

- **Training Issues** - In Colorado the Division of Wildlife and Division of Parks and Outdoor Recreation was merged into one agency, Colorado Parks and Wildlife (CPW), on July 1, 2011. Historically, both sides (Parks and Wildlife) would send new recruits to a POST certified law enforcement academy at different times of the calendar year. For 2014 the wildlife officer and park ranger recruits went to the same POST academy. Ten wildlife officer and 11 park ranger recruits graduated from the same POST academy on May 9, 2014. The ten wildlife trainees will spend the remainder of the calendar year in specialized training to become wildlife officers.
- **Funding and Staffing Issues** – CPW is looking at other possible revenue enhancing ideas, possible liquidation of some assets, and possibly some programmatic cuts to combat about a ten million dollar deficit on the wildlife side.
- **Major Conservation Law Enforcement Trends** - None
- **Unique Cross Boundary or Cooperative, Enforcement Efforts** -

Colorado works cooperatively with many state agencies, federal agencies and other law enforcement/judicial entities. A great example is the below poison pod/arrow case involves cooperation with the United States Fish and Wildlife Service and the Mesa County District Attorney's Office in a two year investigation that culminated the fall of 2013.

In 2012, Wildlife Officer Michael Blanck received information about men from South Carolina using poison to hunt deer, elk and bear in the Collbran, Colorado area of his district. After nearly two years of investigation, four men from South





Carolina were arrested in September 2013 for using poison arrows to hunt deer, elk and bear. The men were also arrested for using night vision equipment, illegal lighted arrows and the use of artificial light to take big game after legal hunting hours. One of the men told an investigator he has been using the illegal equipment in Mesa County for at least 20 years, taking an unknown number of big game during that time.



The big game animals were targeted with arrows poisoned with a powerful muscle relaxant that causes paralysis and shuts down an animal's respiratory system within seconds of a strike.

George Plummer and Joseph Nevling, 50, both of Timmonsville, S.C., Michael Courtney, 25, of Florence, S.C., and James Cole, 55, of Sumter, S.C. all pled guilty to a variety of wildlife charges, including illegal taking of wildlife and illegal use of toxins while hunting.

All four men were ordered to pay more than \$8,500.00 in fines and court costs, forfeit all of their seized equipment and agree, through plea agreements, to not hunt in Colorado over the next four years.

Each of the men received individual lectures from the Judge. "You ought to be ashamed of yourself," Judge Smith told Nevling. "This isn't hunting. This is just going out and killing things." Several of the men expressed regret, but one of them offered a defense of the practice. "Back in South Carolina, everybody hunts with poison arrows," Cole said, describing the equipment as an "insurance policy." Hunting with poison arrows in South Carolina is also illegal.

Aside from being illegal, Officer Blanck said archery hunting using poison arrows violates principles of "fair chase." Officers found that the case really was about the attitude of, 'If we're buying expensive licenses, we want to make sure we're going home with a kill.'

- **New Innovations in Conservation Law Enforcement** - None
  - **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** - None
  - **Cost Savings Initiatives** - None
  - **Other Special Law Enforcement Issues** – an emerging issue in Colorado is the illegal sale of wildlife meat/fish and/or wildlife parts that are illegal to sale (bighorn sheep horn and skull without a plug, velvet antlers, bear gall bladders, etc.) via social media outlets. The illegal sale of big game meat is a felony.
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**Association of Midwest Fish and Game Law Enforcement Officers**  
**2014 Agency Report**  
**State/Province: Environment Canada**  
**Submitted by: Ross Stewart**  
**Date: 08-05-2014**

## **Training Issues**

Environment Canada is committed to enhanced officer training and established the Advanced Investigative Skills Program using the Canadian Police College Ontario for:

- Forensic Interviewing Training
- Search Warrants Regulatory DITO course (Drafting Information to Obtain).
- For more information, please refer to the CPC site at <http://www.cpc-ccp.gc.ca/en/dito>.

## **Funding and Staffing Issues**

PNRegion was able to staff the Operations manager West position in Calgary with Wildlife Officer Trevor Wyatt. EC is testing a position of a field officer combined with partial Intel officer duty in Yellowknife. PNR was able to staff a new position as part of the Northern Enforcement strategy in Iqaluit, NU.

EC WED is currently running an anticipatory staffing competition for entry level GT 04 field officers.

## **Major Conservation Law Enforcement Trends**

### **Performance Management**

As of April 1, 2014, the federal government has a new Directive on Performance Management. It describes performance management activities for all employees. Performance management is an ongoing process that involves planning, developing, coaching, providing feedback and evaluating employee performance. It uses an online system that automates the Public Service Performance Agreement and collects and reports performance management data.

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

- Northern Species Enforcement Initiative. Targeting the unlawful transportation and distribution of marine mammals including polar bears, narwhal and walrus. Working with provincial/territorial and other federal jurisdictions in Canada on the file.
- Blue Grass Branta Investigation – Will provide an update on this investigation to the AMFGLEO meeting. Waterfowl undercover operation which is now going to trial. Three different trials for May, 2014 involving both federal and provincial violations.

- **Operation Bruin**

The United States Fish and Wildlife Service (USFWS) and the Alaska State Troopers who were looking into the alleged illegal hunting of Alaskan brown bears and black bears initiated an investigation. As a result of information they received, WED-PNR Wildlife Officers entered into the investigation with respect to fifteen Canadian residents.

Charges were laid in the Province of Alberta for the illegal importation into Canada from the State of Alaska. Twelve search warrants were executed and many items were seized. To date, two brown bear skulls and hides have been forfeited. Two individuals have pleaded guilty and twelve others have opted to go to trial in Canada and the US. Trials have taken place in Alaska, with Canadian trial dates being set in June and July 2014.

The WED-PNR Wildlife Officers were in Juneau Alaska Jan 15 -Feb 5, 2014 for court proceedings related to a US outfitter and three Canadian hunters that commenced by jury. Contested charges included conspiracy and false labeling contrary to the Lacey Act. US resident, John KATZEEK, was convicted of one count of false labeling. The Canadian hunters were found not guilty and acquitted.

- **Partner Agency Support**

Border and road side inspections are key to monitoring non-compliance of various Acts and regulations enforced by WED that pertain to Canadian species at risk. Additionally, they provide opportunities to identify areas where there is suspected to be high level of non-compliance by gathering intelligence and targeting non-compliant activities with a combination of work and project planning efforts. However, RSI's require a large number of officers to perform safely; therefore, partners are often the most cost effective option.

Black bear and sport fishing checks started off with PNR-Manitoba Wildlife Officers doing checks at the Emerson border over a three-day period in late May-early June where no major violations were detected during these checks.

In July at the Sprague, Manitoba border, over 200 vehicles were stopped. Forty-eight vehicles were sent for secondary screening and a total of 128 anglers were checked. A total of 11 charges were laid (eight possess fish that cannot be counted i.e. block frozen; two WAPPRIITA charges for over limit of fish from a foreign state; and one count for no skin on fish).



Figure 1 - Frozen Block of Fish

In the fall, blitzes included a joint operation between Manitoba Conservation, Canada Border Services Agency and Wildlife Enforcement at the Tolstoi Border Crossing where approximately 30 vehicles were inspected and 72 licenses were checked under Manitoba Fishing Regulations, WAPPRIITA and MBCA. There were a total of four provincial violation notices issued.

Calgary Wildlife Officers coordinated a RSI with Alberta Fish and Game and US Fish and Wildlife at the Coutts border crossing on October 17 and 18, 2013. Officers were able to educate hunters and travellers on the goals of the Environment Canada Wildlife Enforcement Program as well as gather intelligence which was passed along to the Regional Intelligence Manager. Over the two days, they checked out a total of 27 hunters, who between them had 236 waterfowl, 8 moose, 1 sheep, 2 goats, 3 black bears and 1 bison. No violations were encountered in any of the checks.

On October 22 and 23, Saskatchewan Wildlife Officers worked with Saskatchewan Conservation Officers and CBSA at the Regina International Airport conducting inspections of outbound passengers. A total of 28 inspections were conducted. Information was also gathered that led Wildlife Officers to believe several offenses were committed including suspected illegal guiding operation, hunting without a license, hunting big game out of season, wastage and over limit hunting of geese. Officers will be working with partners to follow up on the latter event which is under WED jurisdiction.

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

- MSOC satellite data

An ongoing operation related to arctic protected areas and arctic vessel traffic is underway in EC WED. The project assesses current intelligence, sources of intelligence and enforcement relating to the arctic protected National Wildlife areas and Migratory Bird sanctuaries and the increasing arctic vessel traffic. The operation expanded partnerships using satellite technology to increase intelligence capabilities and effectiveness of enforcement operations.

Marine Security Operations Center (MSOC) includes staff from: DND CCGS/DFO CBSA RCMP TC. Data was used to track and plot Vessel positions across the arctic. Analysis of the data allows EC to conduct intelligence led, targeted enforcement activities as part of WED's national priorities and enforcement mandate.

- Web based CPIC access

The Canadian Police Information Centre (CPIC) is a central repository into which the various police and other enforcement agencies jurisdictions within Canada enter electronic representations of information they collect and maintain. The information is contributed to, and maintained by, the participating agencies. Inspection, investigation and intelligence success is greatly improved when all possible information sources are utilized. Environment Canada (EC) has been granted Category II B agency status which allows direct limited access (Query and Narrative) and privileges to CPIC. EC encourages the use of CPIC as a support system for enhancing officer safety and as an investigative tool.

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

- MBCA amendments

Modernization of Canada's Migratory Birds Regulations is underway. During the past decades a number of regulatory problems have arisen, including complaints and challenges identified by hunters, hunter organizations, migratory bird population biologists, and enforcement

officials. A number of amendments are being proposed to address the issues raised and to improve the management of hunting. EC is looking at the main text of the Regulations, which provide the rules about such things as possession of migratory birds, labeling, transportation, wastage, and processing.

- Sage grouse EPO

The government of Canada passed an Emergency Order for the Protection of the Greater Sage-Grouse, made pursuant to the Species at Risk Act (SARA), is to address the imminent threats to the survival and recovery of the Greater Sage-Grouse, including by protecting the habitat identified in the Emergency Order to help stabilize the population and begin its recovery

### **Cost Savings Initiatives**

- In the Wildlife Enforcement Directorate, coordination of activity/project planning and reporting is at the regional level while planning of operational activities and projects remains at the district/divisional level. Except for reactive work, all proactive operational activities and projects must be planned and mapped out with detailed description of human and financial resources needed, period of the year, objectives and actions, linkage to Wildlife Enforcement Directorate Priorities, Intelligence, and regional focuses as identified by the Regional Management Team. Any activities/projects that incur expenses will be captured and the budget will be committed to the plan once it is prioritized and approved by the regional management team. Regions will determine how the budget is to be committed. Details of the approval process will be explained in the following sections.
- EC WED has is a federal agency spread across Canada. Fiscally innovative Web based reporting has been established for compensation reporting, leave approval and training approval

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

- Tops - Targeted Outcome Projects (TOPs), where we identified significant environmental issues and organized our enforcement activities around fixing those problems. EC WED has established two projects. Project aurora deals with arctic species and the second is a border related project.
- Intelligence program renewal

The Intelligence Renewal Project (IRP) is a branch-wide project that was initiated to renew and strengthen the Intelligence Program at the Enforcement Branch. Capitalizing on the successes of our existing program, the project will build a stronger and more coordinated Intelligence Program. A strong Intelligence Program allows us to make informed decisions, engage in forward-thinking, invest resources wisely, and better determine points of intervention. EB continues to move towards an intelligence-led approach to enforcement and take on targeted outcome projects

- Auction House

EC worked in conjunction with our CWS to raise awareness of Canadian federal wildlife legislation which protects certain plants and animal species and how it may affect objects for sale in auction house establishments. Objects made from animals and plants regulated under these acts are often found in auction houses or sold through auction companies. These items would include such things as tiger rugs, raw or carved ivory, pianos with ivory keys, objects containing whalebone or rhinoceros horn. Auction houses wer sent a compliance promotion

letter outlining Canadian law that describes conditions for legal possession, sale, and transport in or out of Canada of such items.

- Live assets

Enforcement Branch reviewed and amended policy directives on Live Animal Asset Management in 2014. A tragic death in Canada highlighted the need for a vigorous animal management program focused on live assets forfeited or abandoned to Environment Canada. The policy was reviewed to identify potential liability to the EC and the government of Canada and to determine legal authorities and identify any legislative gaps.

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

**2014 Agency Report**

**State/Province: Illinois**

**Submitted by: Rafael Gutierrez**

**Date: May 13, 2014**

**Training Issues**

**New Hires:**

Illinois continues to seek a Legislative funding for a class of new Conservation Police Officers. Recently a Recruit Class of 15 was funded with their hire date effective September 16<sup>th</sup>. The approved headcount for the Office of Law Enforcement (OLE) is 175 sworn. The current headcount is 136 and we project 10 officers will retire over the next year making the hiring of this recruit class critical. Newly hired officers receive 18-24 months of training before being released on solo patrol.

**In-service Training:**

Due to budget constraints and lack of manpower, OLE training has suffered during the past year. The training section has only conducted mandated and critical training in order to make ends meet.

**Officer Safety Training:**

The OLE training section continued the decentralized firearms training program since 2009. The results of this change have been positive and beneficial. The decentralization allowed each Region and District to be more flexible, thus eliminating scheduling conflicts and overtime concerns. The training staff was able to provide more focused instruction, run a safer range, and address issues more efficiently. We are continually developing new styles of firearms training by integrating defensive tactics and using scenario based training on the range.

The Firearms Staff is providing the 2013 Firearms Qualification Shoot for the OLE Retired Officers.

The OLE training section continues the training of defense tactics (DT) while researching new and improved training methods. The DT program is implemented quarterly on a Region or District level allowing more flexibility for scheduling of officer training.

The DT and Firearms staff merged to provide scenario based training for all OLE officers and supervisors. The cross training was well received by all who participated as it provided officers a more realistic training scenario to enhance their skills. We have purchased new equipment to implement during the training to allow more real speed training instead of moderated effort in control techniques.

The Firearms staff is continuing training on “**Bounding Overwatch**” techniques. This technique brings realistic and practical application to the training program and better trains the officers to function as a team during a real life situation.

#### **Computer Training:**

The OLE training section continues to develop a computer training course for all skill levels of officers which continues to result in numerous wildlife cases being detected and solved. Also, there has been a more timely and efficient submittal of division paperwork which has been greatly beneficial. Using a 1 to 10 evaluation scale, our officers average skill level has gone from a skill level 6 to a skill level 8.

#### **Waterfowl Enforcement:**

The OLE training section has continued to enhance the Waterfowl Enforcement Training School. All material has been updated, including the manual, wing boards, seed packets, mounts, and training props. Also, a digital photo album of ducks and geese has been developed that is available to all officers on disk and electronically.

#### **Outreach Training Programs:**

The OLE training section conducted numerous recruiting seminars, career fairs, and presentations in an effort to recruit qualified potential applicants for the 2015 Recruit Class and future classes.

The OLE training section offers a very active Internship Program consisting of up to 48 internships per year. College students who wish to pursue a career in Law Enforcement/Natural Resources apply for an internship of up to 12 weeks where they ride with a Conservation Officer (CPO), watch, listen, ask questions, and participate in many of the duties of a CPO. These internships provide a wonderful learning experience to students who the IDNR OLE hope become future applicants.

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

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

#### **Mini-Academy Training:**

The OLE Training Section coordinated two mini-academies for the Cook County Forest Preserve Police to educate them on conservation specific areas of law enforcement including wildlife enforcement, fish enforcement, snowmobile enforcement, boat enforcement and operating under the influence enforcement.

#### **Sonar Training:**

The OLE Training Section continues to offer sonar training to outside agencies as well as our own field officers to enhance officers’ abilities to utilize side scan, sector scan and tow fish sonar units for the locating of evidence and other items of interest. The training section is continuing efforts to expand the sonar training program by setting up a second training practical location to offer more opportunities for outside agencies in different parts of the state.

### **Funding and Staffing Issues**

Although Fiscal Year 2014 did show signs of improvement, fiscal conditions for the State of Illinois continue to be watched closely and spending is limited to only those purchases absolutely necessary for operations. The Department of Natural Resources, Office of Law Enforcement (OLE) experienced an increase of almost \$3 million or 16% in its budgeted appropriations from FY13 to FY14.

\$2.8 million of this increase from FY13 to FY14 was in the personal services and fringe benefits lines with a significant portion of this increase a new recruit class of 15 cadets that was hired in September 2013. The net increase of \$200,000 in the Office of Law Enforcement's other operating lines was for incidental costs associated with hiring, training, and outfitting the recruit class. OLE is still able to fill command staff positions from within by promoting conservation police officers but can only hire new support services personnel with approval from the agency's Office of Fiscal Management and the Governor's office.

Even with the addition of the new recruits, retirements continue to take its toll on the OLE sworn headcount levels. The Office of Law Enforcement sworn headcount at the end of April 2014 was just 137. At the end of fiscal year 2007, sworn law enforcement personnel numbered 166.

The Office of Law Enforcement is hoping to receive funding for another recruit class of 15 cadets to be hired in January 2015 and has begun the process to develop an eligibility list. The written test for the trainee position was made available during the first week of May 2014 and will be available again in July 2015.

Although funding has improved over previous years, the Office of Law Enforcement continues to limit purchases to only those items that are absolutely necessary to maintain operations, maintaining tighter fiscal control/oversight and requiring purchases be approved at the agency level rather than the regional level. In fiscal year 2013, the Office of Law Enforcement was successful in getting legislation passed to create the Conservation Police Operations Assistance Fund. This account, funded primarily through fines, donations and watercraft registrations, was established primarily to allow the department to address its aging fleet of work boats, snowmobiles, ATVs, laptop computers and for the procurement of other items necessary for an officer to perform his duties. To date, the department has deposited almost \$1 million into this fund. In FY14, the Office of Law Enforcement used these funds, along with funds from equipment lines appropriations, to purchase or to begin the process of procuring such things as eleven 20' and fifteen 18' daily work boats, sixty-three laptop computers, seventeen ATVs, a hundred vehicle rifle mounts, and ninety-six sets of replacement body armor.

### **Equipment Issues**

Over the past several years, the Office of Law Enforcement's annual equipment appropriation has been reduced from \$900,000 to just over \$51,000 in Fiscal Year 2013. However, in FY14 the newly created Conservation Police Operations Assistance Fund (CPOAF) has had almost \$1 million deposited in to it. This fund is used to replace our aging fleet equipment such as work boats, patrol boats, outboard motors, snowmobiles, ATVs, laptops and other necessary equipment for CPOs to perform their job duties. Our biggest equipment issue is our work boats. We are in the process of purchasing 26 aluminum john boats out of the 60 which need to be replaced. We have also purchased 17 new ATVs, 17 new Intoximeter RBT-IV portable breath testing machines and 96 sets of body armor. From the CPOAF we have also purchased 108 rifle mounts to be installed in patrol vehicles. We will purchase the remaining rifle mounts needed in FY15.

All officers are issued laptop computers and would not be able to perform their daily duties without this critical piece of equipment. With the advanced age of the computers and the improvements in

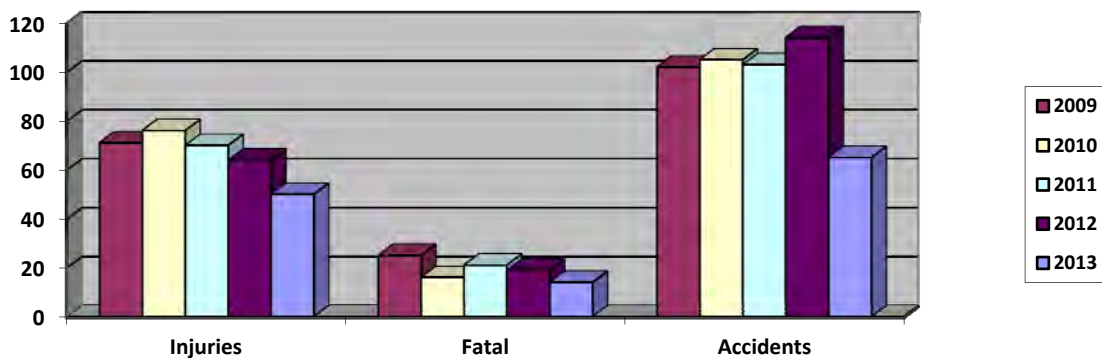


technology, it is imperative that the department remain on a program to replace the laptop computers every 3 years. The purchase of 45 laptops in FY12 was the beginning of this initiative. In FY13, the Department purchased another 41 laptops and in FY14 the Department purchased 63 laptops in an effort to keep current technology available to our officers. These purchases put the department at a 3 year rotation for laptop replacements which is what our goal was back in FY12.

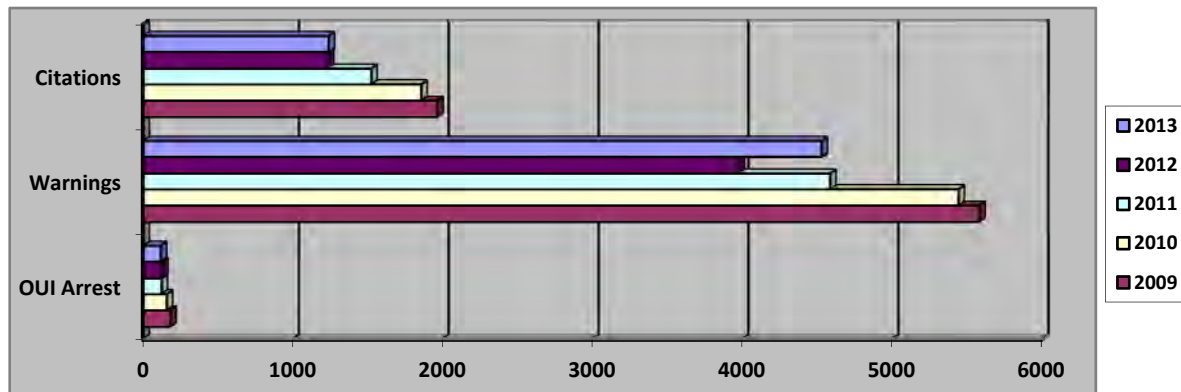
In FY15 the department's equipment priority will be to replace patrol boats, which are 20-25 years old, and to replace more aluminum john boats.

#### Recreational Boat Enforcement **(Federal Fiscal Year 2013)**

Illinois Conservation police reported 65 accidents resulting in 50 injuries and 14 fatalities in FFY 2013. The five year Illinois average is 97 accidents, 66 injuries and 19 fatalities. Although the Department continues to show an overall decline in the number of accidents, injuries and fatalities over 5 years, it is important to review information to determine internal and external factors impacting recreational boating and enforcement efforts.



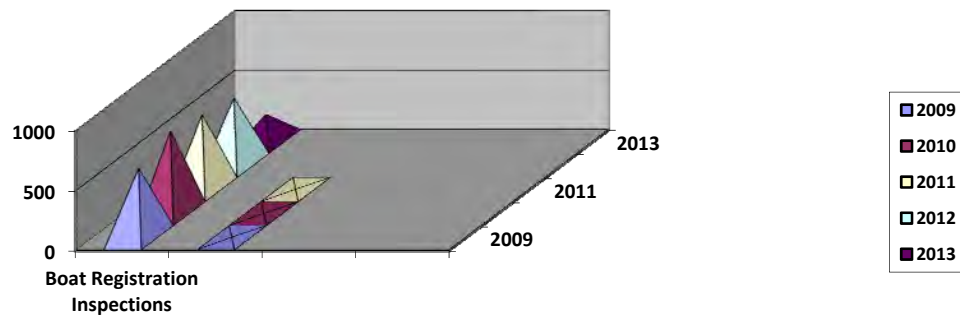
The graph above shows FFY 2013 accident information to be below the five year average.



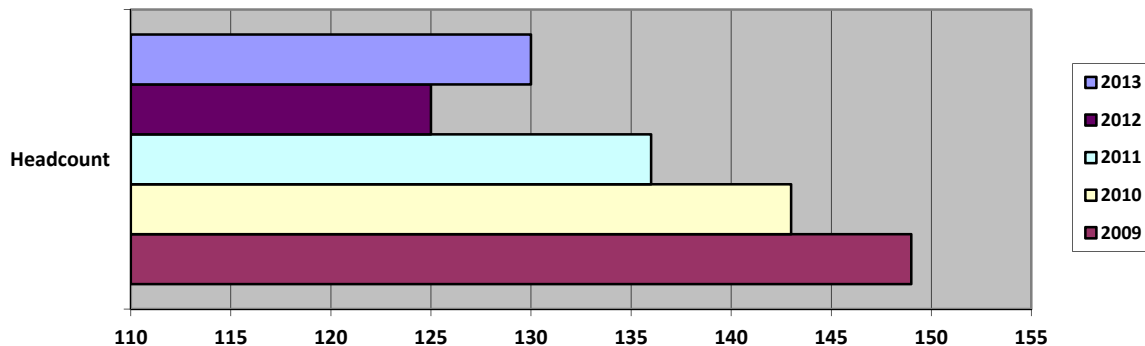
The OLE has experienced and overall decline in enforcement activity over the past 5 years. FFY 2013 activity appears to be consistent with the previous year's activity, with the exception of written warnings. There was an increase of 553 written warnings issued from FFY 2012 to FFY 2013.

Year	Boat Inspections
2009	17,672
2010	16,080
2011	21,929
2012	20,015
2013	17,512

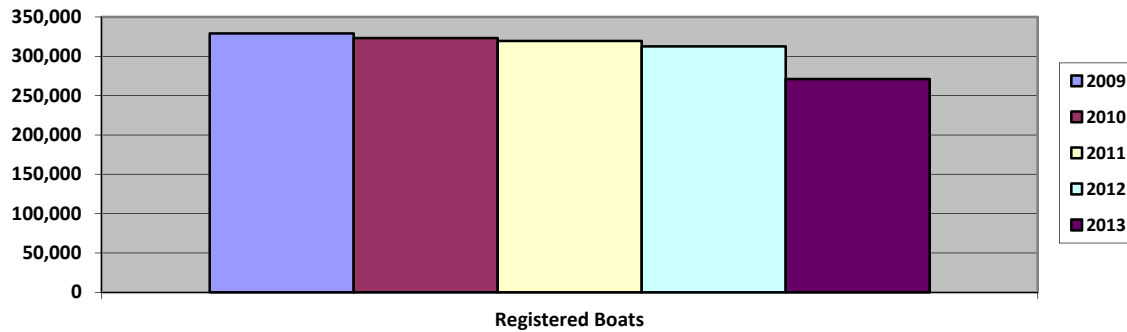
In FFY 2013, there were 2,503 less safety inspections conducted on watercraft. However, numbers remained consistent with the 5 year average (18,641) and correlated with the reduction in headcount. Several concerns with the validity of boat inspection statistics have been brought up; mainly with officers falsifying inspections. Supervisors are encouraged to review statistical information and address any inconsistencies.



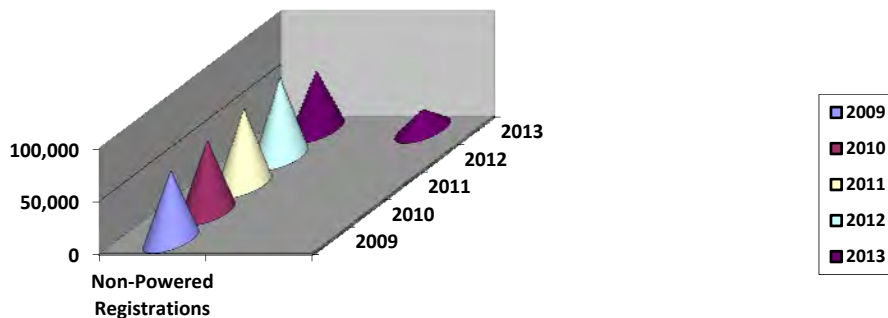
Boat registration inspections conducted by officer have also experienced a steady decline the past 5 years. In 2013, the Water Usage Stamp was implemented, eliminating the need for officer to conduct inspections on non-powered watercraft. A 40% drop in registration inspections occurred after implementation (566 to 228).



Conservation Police headcount increased slightly from 125 to 130 the past year with the addition of 14 new officers. However, numbers are down from 153 (2009) to 130 (2013). The drop in headcount is consistent with enforcement activities over the past 5 years as indicated. The increase of additional new recruits merely allowed the Office of Law Enforcement to remain status quo due to the number of retirements experienced in the year.



The number of registered motorboats has also decreased by 57,916 in the last 5 years. This trend is seen nationally and believed to be directly related to the current economic environment.



Non-powered registrations have steadily increased from 65,659 in 2009 to 77,449 in 2012. FFY 2013 was similar to the previous year and showed a slight decrease to 75,158. In 2013, the Water Usage Stamp was implemented. The decrease in registrations matched the amount of Water Usage Stamps sold through Point of Sale. Although non-powered vessel numbers remained the same the past two years, paddle sports continues to grow nationwide and Illinois is also experiencing an increase in canoe and kayaks registered.

Summary:

The five year average shows a significant decrease in Conservation Police headcount (23 officers). Similarly, there is a decrease in the amount of citations, written warnings and OUI arrests. With the exception of written warnings in FFY 2013, the enforcement activity correlates with headcount and the reduction in registered motorboats. With the current addition of recruit classes (28 over the last 2 years), enforcement numbers should remain consistent as headcount will remain status quo with retirements.

The total hours worked on the Recreational Boat Safety Grant (RBS) decreased in FFY 2013. A total of 40,734 personal service hours were recorded, which was 9,930 hours less than the previous year. The five year average is 30,702. Time spent on the program varies with available funding and manpower associated with administering programs, which can be claimed as expenditures towards the RBS Grant. The reduction in accidents and law enforcement headcount also contributed to less hours being dedicated to the program.

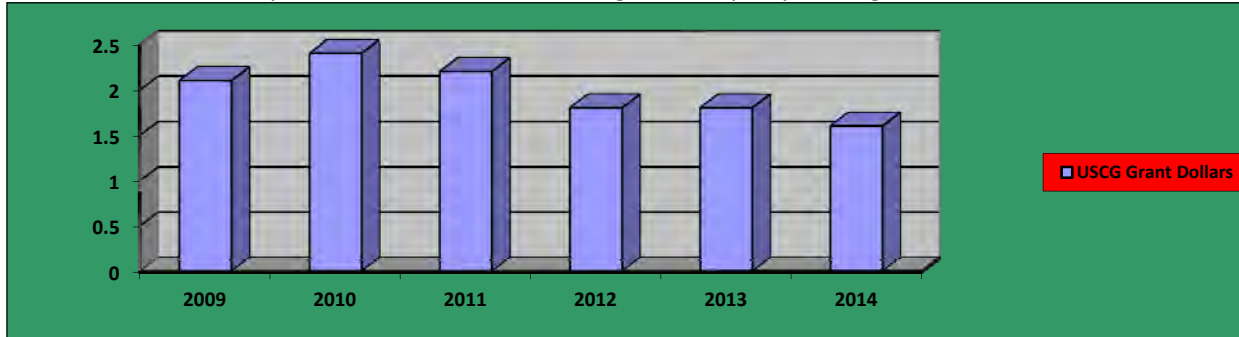
USCG Recreational Boat Safety Grant:

In FFY 2013, the IDNR received approximately \$1.8 million. This money is used to support operations directly related to the enforcement, boat access and safety. In FFY 2014, the monies will decrease to \$1.6

million dollars, mainly due to the decrease in boat registrations. As mentioned previously, it appears the economy is playing the largest part in the reduction of boat registrations.

It is important to remember the RBS program determines funding using the following criteria:

- 1/3 number of registered boat compared to other states/territories
- 1/3 previous years expenditures coded towards the RBS Grant
- 1/3 equal distributions of remaining funds equally among states/territories



## Homeland Security

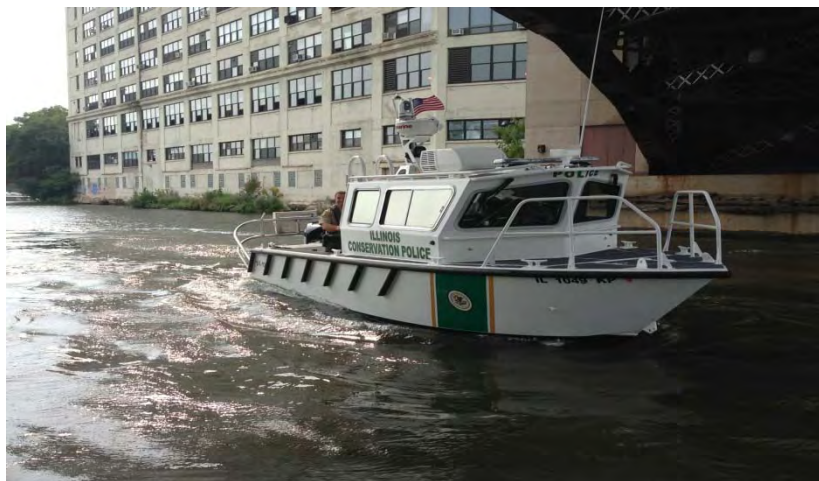
### State/Federal Interoperability:

The Office of Law Enforcement (OLE) has remained active with the Illinois Terrorism Task Force (ITTF). In addition to being a member agency, officers serve on the ITTF Transportation and Infrastructure Security (formerly the Transportation Committee) and the Crisis and Prevention Committee. Serving on the committees allows the OLE to develop partnerships with other state and local law enforcement agencies to help prevent, respond to and recover from an attack on the waterways of the State.

In addition to communicating with fellow State agencies, the membership in the ITTF allows the cooperating agencies to identify special equipment and needs to mitigate gaps in emergency response and protection of critical infrastructure.

Similarly, the OLE has continued to serve on the United States Coast Guard Area Maritime Security Committees (AMSC) in St Louis, Chicago, Peoria and the Quad Cities. The AMSCs specifically deal with ports on waterways in which the State and Federal governments have concurrent jurisdictions. Working with the USCG also helps merge information and response assets, ultimately increasing the safety of our waterways used for commercial transportation purposes.

### Training:



- The OLE was able to provide training on the Chicago Waterfront in 2013. Homeland security boats (approximately 10) were deployed for sonar and familiarization training with approximately 30 officers attending. The USCG Station Calumet Harbor provided the classroom and facilities to dock boats.



- FBI Joint Exercise at Port St Louis
- Tactical Operators Course (NASBLA) at Port St Louis
- Pursuit and Stop (NASBLA) at Port St Louis
- Commercial Vessel Boarding School (South Carolina) 7 Officers attended
- ITTF Transportation Committee Conference (E. Peoria) 12 Officers attended and provided watercraft demonstration and trained on Illinois River

#### Grants:

The OLE was successful in obtaining grant monies through the St Louis Port Security Grant for a total of \$214K. The monies were used to purchase the following items:

- 28 ft Boston Whaler 850 Impact Homeland Security Boat (158k)
- Tow Fish Sonar (48K)
- Humminbird 360 Sonar (8k)

Grant funding was also obtained through the ITTF to rent storage space for 2 homeland security boats in Peoria and Alton. The total amount of the grant is \$8,870.

#### Outlook:

Homeland security dollars continue to decrease as a result of budget restrictions at the Federal level. The ITTF has seen significant reductions in the amount of grant dollars awarded to the State. The USCG has experience similar decreases in grant monies. The OLE will continue to seek additional funding through the ITTF as well as the USCG (Port Security) Grants in a continued attempt to enhance response and mitigate gaps in security on the State's ports and waterways.

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

Illinois Continues to utilize computer technology to conduct comparisons of reported deer & turkey harvest with hunter Point-of-Sale license purchases. Over the past 3 years, Illinois has issued over 800 violation citations as a direct result of this effort.

In addition, Illinois has stepped up efforts in conducting deer & turkey outfitter businesses, conducting over 239 licensed outfitters inspections in 2013.

### **Unique Cross Boundary Cooperative Efforts**

Illinois has dedicated 2 officers to a task force dedicated to identifying and apprehending persons involved in the importation of invasive and disease susceptible aquatic life, primarily Asian Carp. This task force has been working with the Illinois Attorney General's Office to prosecute cases to the fullest extent of the law, sometimes resulting in tens of thousands of dollars in fines. In addition, the task force has been working with other states in an effort to curtail these threatening practices across state lines.

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

Due to budget and staffing shortages, the Office of Law Enforcement has not had an opportunity to explore any new innovations or techniques. Current and foreseeable future efforts will be primarily dedicated to maintaining status quo.

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

The year 2013 was an extremely busy legislative year in Illinois. The Illinois legislature passed a major pension reform bill which reduced many pension benefits for State employees, local teachers, and University employees. Some of the major changes included increasing the retirement age by up to 5 years for employees under age 46, reduced the annual cost of living increases (COLA's) for retirees, and capped the maximum amount of salary that can be used towards calculating retirement annuities. In response, the major unions for the affected employees have filed suit in State Court, which is still pending.

As far as legislation that directly affects Illinois DNR Law Enforcement, the following positive fish & wildlife bills were passed by the legislature:

- **Public Act 98-0183 (SB 1620) WANTON WASTE-** Makes it illegal to wantonly waste or destroy usable meat from game animals. Defines "usable meat" and details locations where individuals may not dispose of harvested wildlife carcasses or parts
- **Public Act 98-0180 (HB 1003) EXEMPTION OF WATER FROM DEFINITION OF DEER OR TURKEY BAIT-** Amends the Wildlife Code prohibition on the baiting of wild turkey and deer to remove pure water from the bait definition
- **Public Act 98-0119 (SB 1170) UNLAWFUL POSSESSION OF WILDLIFE-** Creates a prohibition on possession of wildlife or parts of wildlife that were taken in a manner that is illegal in the state or country where the animal was taken. Additionally defines the statute of limitations on prosecution of violations
- **Public Act 98-0181 (HB 1651) USE OF SHOTGUN SLUGS-** Provides that it is lawful to take any fur-bearing mammal with a shotgun loaded with slugs
- **Public Act 98-0227 (SB 1831) HUNTING WITHOUT PERMISSION-** Amends the Wildlife Code by providing that it is unlawful for any person to take or attempt to take any species of wildlife or parts thereof within or upon the waters or land of another or to knowingly shoot a gun or bow and arrow device at any wildlife physically on or flying over the property of another (instead of to knowingly shoot a gun, bow and arrow, or crossbow onto the property of another for the purposes of taking or attempting to take any species of wildlife) without first obtaining permission from the owner or the owner's designee

- **Public Act 98-0182 (SB 1538) SLING BOW DEVICE**-Amends the Fish and Aquatic Life Code- Provides that the taking of certain types of fish may be taken with a sling shot bow
- **Public Act 98-0118 (SB 50) VETERAN HUNTER EDUCATION**-Amends the Wildlife Code- Allows veterans that are Illinois residents to obtain an Illinois Hunter Education card after completing the online study section of the Illinois Hunter Education program and providing the Department of Natural Resources with verification of service or mobilization
- **Public Act 98-0368 (HB 743) YOUTH FIREARM DEER HUNT**-Amends the Wildlife Code- Requires the youth-only deer hunting season set by the Director of Natural Resources between the dates of September 1 and October 31 to be 3 days rather than 2 days long
- **Public Act 98-0402 (HB 1652) USE OF AIR DRONES & SUSPENSION/REVOCATION OF PRIVILEGES FOR VIOLATIONS OF THE HUNTER/FISHERMAN INTERFERENCE ACT**-Amends the Criminal Code concerning hunter or fisherman interference. Provides that it is a Class A misdemeanor to use a drone in a way that interferes with another person's lawful taking of wildlife or aquatic life. Provides that a court may enjoin the activity causing the interference and award all resulting costs and damages, including punitive damages, to any person adversely affected by the conduct. Defines "drone".  
(and)
- Provides that whenever a license or permit is issued to any person under the Fish and Aquatic Life Code or the Wildlife Code, and the holder of that license or permit is found guilty of a violation of the hunter or fisherman interference statute, the Department of Natural Resources may refuse to issue any permit or license to that person or if the person has a license or permit revoke that license or permit, and suspend that person from engaging in the activity requiring the permit or license for a period of time not to exceed 5 years
- **Public Act 98-0336 (HB 1650) CARP BOAT & COMMERCIAL FISHING LICENSES**- Amends the Fish and Aquatic Life Code. Clarifies that a commercial fisherman shall obtain a sport fishing license in addition to a commercial fishing license, and that an individual assisting a licensed commercial fisherman must obtain a sport fishing license. Provides that "commercial fishing devices" shall include any watercraft used as a primary collection device. Provides that any persons licensed as a commercial fisherman who wishes to use their watercraft as a primary collection device for commercial fishes must first obtain a commercial watercraft device tag and all watercraft used as a primary collection device must be legally licensed by the State and be in compliance with all Coast Guard boating regulations. Exempts any person who takes Asian Carp by the aid of a boat for non-commercial purposes
- **Public Act 98-0522 (SB 1042) RECREATIONAL USE OF LAND AND WATER AREAS ACT** - Provides that an owner of land who permits (instead of either directly or indirectly "invites or permits") without charge any person to use the property for recreational or conservation purposes does not thereby extend any assurance that the premises are safe for any purpose or assume responsibility for or incur liability for any injury to person or property caused by an act or omission of such person or any other person who enters



upon the land, or assume responsibility for or incur liability for any injury to such person or property caused by any natural or artificial condition, structure or personal property on the premises. In a Section concerning the non-limitation of liability which otherwise exists in certain situations, deletes language providing that in the case of land leased to the State or a subdivision thereof, any consideration received by the owner for such lease is not a charge within the meaning of the Section. Contains applicability provisions. Provides that certain provisions apply only to causes of action accruing on and after the effective date of this amendatory Act.

In addition, the following boating legislation was passed to increase safety on Illinois waterways:

- **Public Act 98-0102 (SB 1310)- WATERCRAFT OFFENSES:** Amends the Boat Registration and Safety Act. Provides that water skiers, tubers, parasailers, or other persons towed by the motorboat shall be considered part of the total number of passengers and cargo allowed by a watercraft's capacity plate for the purpose of determining a motorboat's carrying capacity. Provides that a person that falsely alters a water usage stamp, falsifies a record under this Act, or counterfeits any license under this Act is guilty of a Class A misdemeanor rather than a petty offense. Provides that a violation of 45/7-1 and 45/7-8 concerning boat rental service providers is a Class B misdemeanor rather than a petty offense. To the definition of "authorized emergency watercraft", adds vehicles equipped with alternately flashing blue lights
- **Public Act 98-0103 (SB 1479) - Amends the Illinois Vehicle Code.** Authorizes the Secretary of State to suspend a person's motor vehicle driver's license for operating a watercraft under the influence of alcohol or other intoxicating compounds under certain boat accident circumstances. Amends the Boat Registration and Safety Act. Provides that any person operating a watercraft in this State that is involved in a boating accident shall be deemed to have given consent to the chemical testing of their blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds. Provides that if the operator refuses testing, or submits to testing and the testing indicates a blood alcohol content of 0.08 or the presence of other drugs or intoxicating compounds, that person can have their driver's license suspended under the statutory suspension procedures of the Illinois Vehicle Code

**It should be noted that Public Act 98-0103 is significant, as this is the first law ever passed in Illinois that allows the Illinois Secretary of State to suspend a person's motor vehicle driver's license for conduct that occurred while operating a boat.**

#### **Cost Savings Initiatives**

See "Funding Issues" above.

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**Association of Midwest Fish and Game Law Enforcement Officers**  
**2014 Agency Report**  
**State/Province: Kansas**  
**Submitted by: Col. Kevin Jones**  
**Date: April 2014**

- **Training Issues** - describe any new or innovative training programs or techniques which have been recently developed, implemented or are now required.

New Officer Hiring and Training Program

Beginning this past summer the Law Enforcement Division began a new revision of the new officer selection and training process. While it is nothing really new as a process, it is a significant change from the former hiring and training system used by the Division. The concept was to create an eligible hiring pool that would allow vacancies to be filled more efficiently and provide a more comprehensive training program for newly hired officers.

The former process allowed positions to be filled on an individual basis as vacancies occurred. While this did allow for filling vacancies throughout the year, it caused a significant amount of duplication of effort as well as losing potential candidates. The Division now is doing annual testing and assessments to create an annual pool of eligible applicants who could be offered a position at any time a vacancy occurs. The timing of each hiring is aligned with the next available basic training class held at the Kansas Law Enforcement Training Center. Newly hired officers receive orientation training during the first week of employment. They then attend the State training center for the next 14 weeks. Upon completion of training center's course work, the new officer is assigned for field level training. The field level training is based on the San Jose model.

In-service Training

The annual in-service training requirement was fulfilled by a seven phase water safety and enforcement program. This was an intensive training program that conducted across the state. Officers had to complete all seven phases of training in order to receive full credit for training hours. The course work ranged from class room instruction of basic water safety and enforcement issues to wet training on water survival from a law enforcement perspective, to operations of emergency watercraft including live fire training. This was a monumental undertaking for the Division's boating specialist staff, with assistance from Parks Division and Public Lands Section staff. This was excellent training as it actually exposed officers to practical exercises from an on the water perspective that show officers their limitations, but also instilled a level of confidence in them.

- **Funding and Staffing Issues** - identify any recent developments in funding, staffing, and diversity in employment issues and describe what prompted these developments and how improvements in funding, staffing and diversity in employment were accomplished.

The division and department continue to see relatively stable funding for programs, particularly from wildlife related revenue sources. Although the funding does remain stable, it leaves little room for expansion of projects or increases in salaries. Officers have not seen any pay increase for the past six years and under the future budget scenarios there is little to be expected. The last pay increase was a cost of living adjustment of 2.5%. During the past year all temporary and part-time employees within the

Department were laid off half way through the fiscal year. The Law Enforcement Division laid off three part-time employees. One was doing data entry and the other two were providing assistance to the Investigation Section and the southwestern region of the state.

- **Major Conservation Law Enforcement Trends** - identify any major cooperative, interstate, reciprocal or other cross jurisdictional law enforcement trends (e.g. including community policing, operator under the influence (QUI) initiatives, or other issues which fall outside traditional fish and wildlife enforcement functions).

The division continues to work on the mission of maintaining relevance within the local communities and emphasizing our importance in the area of public safety. We have increased our focus on water based safety and enforcement and have been working with local communities to integrate our personnel and resources into the local emergency operations plan. Our K-9 officers continue to provide assistance to local and other state law enforcement agencies, particularly in the areas of tracking suspected criminals and evidence recovery.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts** - describe any Interagency, interstate, international, state/tribal, or other cross jurisdictional enforcement efforts (e.g. major Lacey Act investigations, progress with Wildlife Violator Compacts, improvements in interagency communication (WCIS), etc.)

Several joint investigations were initiated during the past year. Some of these cases are in the early stages of development, and it is anticipated that it may be necessary to run these cases for a couple of years before the full potential is realized. These are cases involving interstate transactions and participation by the U.S. Fish and Wildlife Service, Office of Law Enforcement becomes an important question, particularly in light of their current case priorities. Within Region 6 of the USFWS, the lack of agents in Kansas and Nebraska make it difficult to find the necessary federal resources to work native wildlife cases.

- **New Innovations in Conservation Law Enforcement** - describe any innovations in equipment, enforcement techniques, forensics, etc.

The Law Enforcement Division has initiated a project to test and evaluate body video cameras for officers. Although there are quite a number of products available and being used by a variety of agencies across the country, we are exploring what features will be needed and work best for our officers situations. There are obvious uses for these devices ranging from documenting contacts with violators, particularly boating under the influence cases or field interviews, as well as addressing citizen complaints.

The Department is currently in the process of requesting proposals to update the current license and permit system. It appears that more emphasis is being placed on electronic media and technology by the potential vendors in addressing and agency's needs. While technology often time adds levels of convenience to sportsmen, the convenience can reduce the security of the system and potentially allow for higher levels of license and permit fraud. Under the current system officers have seen licenses having been issued just minutes prior to the hunter or angler being checked in the field. This causes some concern about the level of compliance that will be seen in the future; whether individuals will take the chance of hunting or angling without a license since obtaining a license is only a quick phone call away.

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

At the time of this writing, the Kansas Legislature has ended its main session, but will be returning in a couple of weeks to wrap-up the session in what's referred to as the veto session. During this final session bills which did not make it through the main session are sometimes amended into final bills, typically dealing with budget issues. One bill that did not make it through the main session, but is ripe to be amended into other legislation, concerns providing landowners the right of first refusal of any wildlife seized and forfeited in a case. The bill arose from a case where a landowner made claim to a large set of antlers take from a deer that was shot and died on his property. The Department denied his claim to the antlers, based on the fact that wildlife is the property of the State and there are no private property or possession interests being held by the landowner. The original bill would have changed the statute that declares that all wildlife in property of the State. The proposed amendment would have established a possession interest of all wildlife with the landowner. Through negotiation, the bill was amended, placing the right of first refusal to all forfeited wildlife in the wildlife statutes concerning seizure and forfeiture. At this point it is unknown if this bill will be brought to life during the final session of this Legislature, or if it will be revived during the next session.

This past March the U.S. Fish and Wildlife Service determined that the Lesser Prairie chicken is to be listed as a threaten species across its range. Kansas has the largest segment of this interstate population, and over the years, has made progress in expanding its range and stabilizing the population within the state. This new listing has created significant issues for the department to address, as any federal listing does to a state's programs. It is unknown at this time to what degree the Law Enforcement Division will become involved with this finding.

- **Cost Savings Initiatives** - Identify initiatives in any area which contributed to improvements in work effectiveness and fiscal efficiency.
  - **Other Special Law Enforcement Issues**
-

**Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report**

**State/Province: Kentucky**

**Submitted by: Hank Patton, Director, Law Enforcement Division**

**Date: May 5, 2014**

- **Training Issues**

The Kentucky Department of Fish and Wildlife Resources had a busy year! FY 2014 started with an LE Academy Class of 15 recruits. The recruits are required to complete 12 weeks of our academy, 18 weeks of Peace Officer Professional Standards certification, and 16 weeks of Field Training. All recruits are currently in the third phase of FTO, and will finish in June 2014.

The Division transitioned from a VHF analog radio communications system, to a fully digital UHF system. \$1.3M of new dual band UHF/VHF radios, and associated equipment were installed in all patrol vehicles and vessels. The Kentucky State Police assisted in all installs, for a substantial savings, and the Division contracted all dispatch duties to the Kentucky State Police. This transition included retraining on radio procedures and protocols, policy updates, and hands-on equipment training. This transition will save the Agency over \$800K, annually, and improve officer safety and calls to service. We will no longer man a 24/7 dispatch center, and all dispatch personnel have been placed in the Agency, with no loss of jobs.

139 Conservation Officers have been trained on and issued AR-15 patrol rifles. These military surplus rifles were modified for semi-automatic fire, and each officer was required to attend 40 hours of in-service patrol rifle training and qualification prior to being allowed to carry the weapon. This has been a three year, phased-in process, and will greatly improve officer safety, round accountability, and provide increased, more effective firepower in an emergency situation.

The Division is currently testing and evaluating on-body cameras for each officer. These cameras will provide a level of safety for the officers, and will capture, as evidence, public interaction footage during routine patrol actions. The cameras were in response to outside pressure from the legislature and the general public. It has been a technological challenge to get the right equipment in the field, and supporting the data storage within budgetary constraints.

**Funding and Staffing Issues**

The LE Division has experienced decreased funding for the last 5 years. In 2014, the budget actually increased to address additional personnel, vehicle and vessel replacements, and equipment needs. As with all state agencies, funding is a significant issue, and we are continuing to seek cost saving measure to reduce the overall Agency budget. The communications transition savings of over \$800K, annually, will relieve some funding issues and reallocate funds for personnel increases, division restructure, and vehicle replacement. The Division currently has 27 vacant positions, and steps are underway to address the role of the Division, personnel strength, unit structure, and regional coverage using officers available. The Division is also exploring an in-house training section for in-service training, statute and regulation updates, and proficiency training. This will save the Agency close to \$100K annually in in-state travel, and better equip the officers with Agency policy, regulation, and statute updates.

We anticipate an academy class in 2015 to address retirements, reassignments, and resignations.

- **Major Conservation Law Enforcement Trends**

The Division continues to focus on the illicit trade of protected wildlife, importation of exotic species, and illegal commercial/sport activity. Boating is a significant part of our mission, and has been under intense scrutiny in the 2014 Legislative Session.

We have also experienced a precipitous increase in boating under the influence and alcohol related violations. Recent legislation has affected our enforcement activities on the water, and significant retraining is taking place to address these issues. Mandated professionalism training is ongoing, and general counsel is addressing statutory changes to better train our officers on the new procedures we must implement to be successful. The trend is to not enforce drinking in public, and to temper our enforcement on boating under the influence. Statute changes redefined conducting a boating contact, and established a new standard of reasonable and articulable suspicion based on reasonable and articulable fact and inferences for a boat stop. This is still a less stringent standard than probable cause, but mandates a different standard than was used in the past. Fishing and hunting compliance stops were specifically exempt from this standard, but we cannot conduct routine safety inspections during a compliance stop.

With the increased popularity of scripted, reality television, Kentucky has seen an increase in illegal importation of protected wildlife, illegal possession of protected wildlife, and mistreatment of captive wildlife. Numerous successful cases have addressed these issues, but we are continuing to see issues, regularly.

Paddlefish issues continue to be a hot topic in Kentucky. With the rising prices of both flesh and roe from the paddlefish, we are seeing an increase in paddlefish poaching and the sale of sport caught paddlefish to roe buyers. Snag fisherman, bow fisherman, and recreational anglers are being approached to sell sport harvested paddlefish for the eggs and flesh. The Agency is working closely with the USFWS, and several SEAFWA states to address this issue through regulations and statute changes. We continue to conduct covert operations and uniformed details to curb the illegal take and sale of this precious commodity.

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

Kentucky continues to work closely with USFWS and other state agencies to address illicit take of plants, native wildlife, and the importation of captive wildlife and exotics. Importation of hogs, deer, elk, and other wildlife is continuing to rise, and requires increased assets to monitor and maintain.

- **New Innovations in Conservation Law Enforcement**

Division staff has worked diligently to develop a database alert program that will alert the Agency when a convicted violator that has lost their hunting or fishing rights has purchased a license. Due to our point of sale delivery system not being real-time, a violator that has lost their hunting and fishing rights can currently buy a license at any vendor location, even though it is illegal to possess that license. A program will identify any violator listed in the Wildlife Violator Compact database that has purchased a license and flag them for investigation by the Division. This program has also streamlined our violator revocation notification process, alerts when the violator comes off suspension, and assists us in tracking their purchase history.

The Boating Education coordinator has developed a boating under the influence violator's course that is court mandated when a person is convicted of boating under the influence. This course is in addition to any fines, court costs, or restitution, and the violator must pay \$100 to take the course on-line, and present the completion certificate to the courts after completion. We are anxious to see the impact of the program, and the revenue that it generates for the Agency.

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

The Division is seeing an increase in officer complaints from the boating public. Although Kentucky Conservation Officers have full police powers and authority to enforce all laws of the Commonwealth of Kentucky, they are not viewed as “real law enforcement” by the public. Our policies address mission focus, but our officers are empowered to address any violations of the law, and take the appropriate actions. If other agencies are involved in a non-fish and wildlife issue, we allow them to carry the case. Our focus is fish, wildlife and boating enforcement. Kentucky Conservation Officers are the only “real law enforcement” on the water, and are statutorily mandated to enforce all laws among the boating public. No other Agency in state government is equipped to enforce the law on the water. We observe domestic issues, disorderly conduct, alcohol issues, rape, sodomy, drug use, to name a few, during routine boating patrol. Even if the violator has been convicted of a law violation, they will seek legislative involvement to penalize the officers for doing their job. Boating under the influence cases have been delayed in suppression hearings to challenge whether the officers have the authority to charge someone with drinking in public or boating under the influence. This is truly a leadership challenge, a court challenge and a legal challenge. The Agency is taking a proactive approach to change the public perception that we are just “game wardens”, and cannot enforce laws that do not pertain to offenses outside of that arena.

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**Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report  
Manitoba Conservation and Water Stewardship  
Jack Harrigan  
Manager, Compliance & Field Services  
May 15<sup>th</sup>, 2014**

- **Training Issues**

Due to budget constraints a decentralized recertification system was utilized for Firearms, Defensive Tactics, Wildlife Handling Course (including new euthanizing policies) and Emergency Vehicle Operators Course (EVOC) training. The decentralized system meant Regional trainers were able to mentor new trainers and Natural Resource Officers were better able to address problem training areas faster due to smaller class size.

- **Funding and Staffing Issues**

Manitoba is planning on sending a number of new recruits to the Western Conservation Law Enforcement Academy this fall to be trained in EVOC, Defensive Tactics, Firearms and numerous other courses. This is a change from previous years where the recruits were trained at the Atlantic Police Academy.

- **Major Conservation Law Enforcement Trends**

Social media growth continues to impact conservation enforcement particularly with video of both legal and illegal wildlife harvesting and public reactions to these activities. On-line commercialization such as offering illegal hunting as well as legally and illegally harvested wildlife products are monitored and acted upon where necessary.

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

**‘BLUEGRASS BRANTA JOINT INVESTIGATION’**

Goosemasters Legendary Hunts, a migratory bird hunting outfitter business operating in the Interlake area of southern Manitoba had been the subject of over 30 documented intelligence and field report occurrences, many from multiple sources, regarding violations of provincial and federal hunting legislation during the period from 2002 up to and including 2009. Due to the nature of this business, which catered primarily to USA hunters, overt enforcement efforts by provincial and federal agencies on the landscape were having little impact on curtailing these illegal practices which included, but not limited to, guiding without a licence, hunt while guiding, fail to retrieve birds, operate an accommodation facility without a permit, wastage of birds, counsel clients to commit offences, hunting private land without permission, shoot over limits, discharge firearms from vehicles, shooting after legal light, possess/transport untagged birds and shoot protected species.

At a December 2009 meeting between Manitoba Conservation and Water Stewardship and Environment Canada it was determined there was sufficient background information to initiate a joint covert operation targeting Goosemasters Legendary Hunts. Project Officer positions were assigned to represent both Manitoba Conservation and Water Stewardship and Environment Canada and a Cooperative Agreement between the two parties was created and signed off. Subsequent to this approval process a Joint Force Contractual Agreement between Manitoba Conservation and Water Stewardship, Environment Canada and the United States Fish and Wildlife Service was enacted allowing for two USF&W Special Agents to act as covert operators in this investigation.

In June 2010 the covert operators contacted Goosemasters and subsequent arrangements were made for a paid hunt to take place in October of that year. The operators attended the Goosemasters Legendary Hunts full service lodge on October 10 and participated in guided migratory bird hunts that took place from October 11 – 13, 2010. During this time period information and evidence collected by the operators resulted in a total of 45 Provincial statute charges and 21 Federal statute charges being laid against three Manitoba residents and three USA residents. Collectively, the total fines levied at court were \$35,100.00

- **New Innovations in Conservation Law Enforcement**

While not new to the field of conservation law enforcement, Manitoba is now in the process of equipping its Natural Resource Officers with on-board laptop computers in patrol vehicles. Approximately one third (32 NROs) of the force is now equipped with this mobile technology with more planned to be implemented for the coming years. Manitoba is also in the process of implementing TraCS software to replace our existing mid 80's DOS based data management programs.

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

Manitoba is in the final stages of establishing a Conservation Officer Act that when enacted will provide a separate umbrella act to officially recognize the “Conservation Officer Service” and consolidate appointments for the various pieces of legislation enforced by officers. Qualification, training and equipment standards and disciplinary procedures will be addressed in the new act as well as establishing the title of Conservation Officer to replace Natural Resource Officer.

The Fish and Wildlife Enhancement Fund Bill was tabled which will establish a fund to be used to fund fish and wildlife conservation projects. Organizations will be able to obtain grants from the fund for projects approved by a committee. Money for the fund will be generated from a portion of all hunting and fishing licence sales in the Province as well as other dedicated funds.

A new Bill was tabled that would amend both The Fisheries Act (Manitoba) and The Wildlife Act to allow for restitution to be collected when a person is convicted of an offence where specified fish or wildlife are killed unlawfully. This would be over and above any fine ordered by the court and could not be waived by the court. The restitution collected from this process will be deposited into the Fish and Wildlife Enhancement Fund.

- **Cost Savings Initiatives**

In addition to previously mentioned regionalized training of new officer recruits to save travel expenditures, there has been a number of cost saving measures. These include teleconferencing instead of meetings, select high visibility and peak period enforcement activities, and shared resource initiatives with other government departments to save money and ensure continued enforcement standards are maintained.

- **Other Special Law Enforcement Issues**

Due to Supreme Court of Canada decisions, officers are no longer able to conduct random Roadside Check Stations on highways. These will now only be allowed on resource roads where the majority of the people that will be stopped will have been hunting or fishing.

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

**2014 Agency Report**

**State/Province: Michigan**

**Submitted by: Chief Gary Hagler**

**Date: May 22, 2014**

**Training Issues**

The Law Enforcement Division (LED) re-established a Conservation Officer Law Enforcement Academy, the first since 2007, with conservation officers conducting the majority of the instruction. The academy prepares the recruit officers for a career in conservation law enforcement and is the most effective and efficient method to assure the best training is delivered to the recruits.

**Funding and Staffing Issues**

LED received an increase of \$3.5 million of general fund/general purpose funds allowing LED to hire recruit conservation officers. 31 candidates were offered positions with 23 currently in their final weeks of the 22 week academy.

Legislation was enacted to change the structure of hunting and fishing licenses which increased funding for officers and simplified the types of and number of licenses from 227 to 33 licenses.



In the next budget year the hunting and fishing license restructuring will provide additional dollars that will be used to hire an additional nine officers. Plans are underway to begin another Conservation Officer Academy starting in January of 2015.

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

Belle Isle, located in the Detroit River, became Michigan's newest state park. The division has partnered with the state police to make this a family friendly park. Conservation officers have maintained a 24-hour a day presence since February 2014. Both the officers and citizens are seeing enhancements to public safety on the island.

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

Officers and detectives have developed a new tool to assist in prosecution of stolen tree stands.

In a recent case officers integrated a GPS tracking device into the seat of the tree stand. The model will send a text message when the GPS tracker leaves a certain area and is able to be tracked live on a virtual map via the internet.

### **Employee and Media Communications**

To assist in the division's conservation officer recruiting effort as well as to communicate with constituent groups, the division provides weekly updates to the Department's website and Facebook page. Updates on the recruit training process at the Conservation Officer Academy are posted, including photos and videos of the training process. Since the updates were posted, Facebook and website traffic has increased dramatically.

### **Dispatch Systems**

We have purchased and are issuing dual band hand held radios that will allow an officer to communicate with agencies on different radio bands such as our dispatch center and local law enforcement agencies. This radio with integrated GPS will also allow our dispatch center to live track the officer when on foot or away from their vehicle.

### **Wolf Hunt Proposal**

Despite numerous legal challenges, a wolf hunting season was held November 15 - December 31, 2013 in the Upper Peninsula. A total of 22 wolves were taken through hunting within three designated management units. Two wolves were illegally taken outside of any open hunt units when they were mistaken for coyotes. The involved parties were successfully prosecuted for the violations.

Overall the hunt went smoothly with only a few complaints received involving user group conflict (deer hunter vs. wolf hunter). The exceptionally cold weather, early onset of winter, and wolf hunter inexperience had a negative impact on the goal of harvesting 43 wolves.

Plans for a 2014 wolf hunting season are on hold pending the outcome of several ballot initiatives.

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

#### **Cougar**

In recent years Michigan has confirmed the presence of cougars in the state. During the December muzzle loading deer season information was received of a cougar being killed in the eastern Upper Peninsula.

Officers were able to piece together the case with a father and two adult sons ultimately charged and convicted in the case.

### **Strategic Planning**

The division is in the final stages of a strategic planning process. This process will provide a roadmap of where the division is going in the future while identifying what we do well and what we can do better to protect the citizens and natural resources of the state.

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

### **2014 Agency Report**

**State/Province: Missouri**

**Submitted by: Larry Yamnitz, Protection Division Chief**

**Date: May 2, 2014**

- **Training Issues** – The Missouri Department of Conservation (MDC) is conducting a training academy in 2014. The academy began March 1 and is six months in duration. The academy is Missouri P.O.S.T. certified and consists of conservation law, boating operations, waterfowl school, firearms training, land management practices, trapping, fish kills, defensive tactics, etc. Pending successful completion of the academy, ten conservation agent trainees will graduate at the end of August 2014.

In 2013, MDC sent all P.O.S.T. certified employees through a two-day Constitutional Law update. The training is a refresher on a variety of subjects including; search and seizure, vehicle stops and “compliance checks”. Also included in the training are pre-incident indicators of violent attacks and racial profiling. Protection Division continues to issue bi-monthly training bulletins on several high-risk, low-frequency activities.

MDC continues to send conservation agents to swiftwater rescue training. Swiftwater emergency calls are increasing in Missouri and we felt it essential for agents to be equipped and prepared to respond safely, quickly and effectively to swiftwater emergencies. The training consists of using specialized gear in realistic water exercises, practicing with rescue craft, and reacting to swiftwater emergency situations. In addition, two swiftwater rescue boats have been purchased for use throughout the state.

For the first time in three years, Protection Division held a statewide conference for all Division personnel in 2014. Training took place on a variety of topics including: *Wildlife Code*, captive cervids and wildlife health disease, juvenile justice, Wounded Warrior events, and Discover Nature Girls Camps. Protection will return to the annual statewide conference format to ensure consistency in training and application of the *Wildlife Code*.

MDC will also be sending four individuals to the inaugural session of the National Conservation Law Enforcement Leadership Academy in 2014. This training will be held at the National Conservation Training Center in Shepherdstown, West Virginia.

- **Funding and Staffing Issues** – Revenues have stabilized over the past few years, and we even saw modest increases in FY14. Consequently, Department employees were issued a 2% general pay increase on July 1, 2013, and an additional 2% increase on each employee’s anniversary hire date for those who are eligible.

While Protection Division is currently close to full strength, we are preparing for additional vacancies due to retirements, promotions, and departures in the coming year. Protection is currently evaluating the need for another class of Conservation Agent trainees in April 2015.

The Department completed the second phase of upgrades to our communication system by purchasing additional digital radios in FY14. These upgrades are a significant investment that will maintain critical communication with agencies who are implementing digital radios in order to join the Missouri Statewide Interoperable Network (MOSWIN). Budgeting for an additional \$1.8 million in digital radios is being phased in over the next fiscal year to complete the upgrade for all Missouri conservation agents by 2015.

- **Major Conservation Law Enforcement Trends** – In 2013, Missouri's Operation Game Thief (OGT) program received 981 violation reports (a decrease of 131 from last year) which resulted in 289 arrests (a decrease of 57 from last year). 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. We have upgraded our OGT trailer with new exhibits and a professionally wrapped exterior. Conservation agents continue to promote the OGT program through newspaper articles, radio programs, and public meetings.

During the 2013-2014 deer season, 4,487 hunters donated 227,358 pounds of venison to Missouri's Share the Harvest Program. While this program is very popular with the public, declines in Missouri's 2013 deer harvest led to a decrease in donations compared to recent seasons. 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 continues his 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 wrapped- up a major special investigation involving paddlefish poaching centered on the Warsaw, MO area. Over the course of March 13 and 14, 2013, approximately 85 Missouri conservation agents, 40 special agents with the U.S. Fish and Wildlife Service (USFWS), and wildlife officers from Colorado, Illinois, Kansas, Minnesota, New Jersey, Oregon, Pennsylvania, and South Carolina contacted more than 100 subjects in Missouri and eight other states to issue citations, execute arrest warrants, conduct interviews and gather additional information regarding paddlefish poaching in Missouri.

The effort included eight individuals indicted for federal crimes involving the illegal trafficking of paddlefish and their eggs used as caviar. The undercover operation ran during the spring 2011 and spring 2012 paddlefish seasons, March 15 through April 30. Federal crimes involved the illegal purchase, resale and transportation of paddlefish and their eggs in violation of the Lacey Act. MDC and the USFWS worked with the Benton County Prosecuting Attorney's Office, the Benton County Sheriff's Department and the U.S. Department of Justice on the investigation.

As of April 23, 2014, 240 out of 256 state charges have been adjudicated with approximately \$61,488.50 in fines and court costs collected. The story has gained world-wide attention from a variety of news organizations including National Geographic, Guardian U.K. and Smithsonian Magazine.

- **New Innovations in Conservation Law Enforcement** – We continue to issue laptop computers and iPhones to conservation agents in the field. The combination of these tools has improved communication capabilities, and resulted in more efficient and effective work while in the field. Smartphone GPS capabilities have also been utilized on enforcement projects and hunting incident investigations. Protection Division also purchased vehicle-mounted GPS units as these units are not dependent on a phone signal.

Protection Division implemented a Captive Wildlife Inspection Working Group over the past year to improve effectiveness in captive wildlife enforcement. Members of Protection Division, Resource Science and Administrative Services are working to update inspection procedures while developing a centralized reporting system. The working group has also focused their efforts to address illegal movement of captive cervids throughout Missouri.

Conservation Agents continue to find innovative ways to use telecheck in enforcing deer and turkey regulations. Agents now conduct “telecheck patrols” to verify the accuracy of each deer and turkey checked. Agents saturate a county then follow up with a personal visit to every hunter who checks in a deer or turkey within a few hours of the reported check. Honest hunters are glad to see us and unscrupulous hunters are surprised by how quickly an agent discovered a violation! Numerous permit violations, over-limits, and improper tagging and checking violations are being discovered as a result.

Our Information Technology Division continues to work with Protection to enhance the telecheck system and make it more convenient to access from a mobile device. Agents find this a very effective tool to use in the field. Additional iPhone apps to enhance Wildlife Code enforcement are in development now.

Protection Division completed installation of dual long-gun mounts in agent vehicles during the past year. These electronically activated mounts will better secure Department issued shotguns and AR-15 rifles, yet provide instant access in times of emergency. Protection Division also completed the purchase of additional AR-15 rifles to replace all personal rifles currently in use by agents.

- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** – During the past year Missouri added 39 elk (plus one calf born in transit) to our restoration effort in the Ozarks. These elk were trapped in Kentucky and transported to Missouri’s elk restoration zone in Shannon, Carter, and Reynolds counties. This restoration project has garnered tremendous support from the local public but has been criticized from organizations within the farming community who feel elk will be a threat to agricultural interests.

After a multi-year regulation process involving considerable public input, MDC recently modified crayfish regulations to allow the sale of one species of crayfish for use as live bait. While the threat of invasive species continues to be a concern for Missouri’s aquatic ecosystems, a compromise solution was reached to allow the sale of one species, the Virile (Northern) Crayfish. Conservation agents have received extensive training on crayfish identification and have been working with bait dealers and suppliers to educate them on the new rule and proper identification of crayfish species.

Captive cervid regulations continue to be a focus area for MDC. Efforts to work with members of the captive cervid industry to minimize the risk of further spread of Chronic Wasting Disease have met considerable resistance. Currently, legislation is working its way through the Missouri Senate and House of Representatives in an effort to reclassify captive cervids from “wildlife” to “livestock”. This

reclassification would transfer regulatory authority for captive cervids from MDC to the Missouri Department of Agriculture (MDA).

- **Cost Savings Initiatives** – In an effort to improve the work effectiveness of conservation agents, a Protection Division volunteer program was implemented several years ago. Currently there are 107 Protection volunteers who help conservation agents and other staff with a variety of work including; enforcement patrols, outreach and education efforts, training, and fish and wildlife management. In FY13, Protection volunteers donated approximately 7500 hours to help protect Missouri's fish, forest and wildlife resources. We have found these volunteers do the work equal to 1.1 full-time employees per region. In addition to the cost-saving efforts, the program has also proven to be a valuable recruitment and retention tool, as several of our current field agents started as Protection Division volunteers.

This is the first year we purchased the Ford Eco-Boost "Law Enforcement Package" trucks to provide a vehicle better suited for today's law enforcement needs. Anticipated cost savings include better gas mileage from the Eco-Boost package.

- **Other Special Law Enforcement Issues** – With the continued implementation of the Department's ePermits system, regulations regarding proper tagging of deer and turkey continue to be a challenge. The convenience of purchasing and printing deer and turkey permits from a home computer have led to issues regarding permit durability, invalidation, and proper tagging of the animal. While the issue of invalidating the permit by notching has proven effective, tagging solutions have been more difficult. Therefore, Missouri regulations for the 2013 fall deer and turkey seasons and the 2014 spring turkey season no longer require a deer or turkey to be immediately tagged as long as the animal is in the taker's "immediate presence". This represents a significant change in Missouri big game regulations, but addresses several concerns regarding traditional tagging requirements within a modern day permit system.

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

##### **2014 Agency Report**

**State/Province: North Dakota**

**Submitted by: Robert Timian**

**Date: May 22, 2014**

- **Training Issues** – In Spring of 2014 our Department brought in training from Wisconsin DNR in Officer Survival for boat and water safety situations. The training was well liked and is something we plan on incorporating into our officer training schedule. We are finishing up our career development plan which includes a software program to track officer training. Participation in multiple jurisdictions and non law enforcement entities on large scale training for active shooter in a school.
- **Funding and Staffing Issues** – As the population of North Dakota grows so has the demand for our officers to respond to increased calls for service. We are currently reviewing our staff situations for our new Budget proposals coming up. Housing in oil affected areas continues to be an issue, even with a housing subsidy program in place for state employees.
- **Major Conservation Law Enforcement Trends** – Challenges of dealing with a large number of transient workers related to development of the Bakken Oil Field, and associated cultural differences.

- **Unique Cross Boundary or Cooperative, Enforcement Efforts** – We continue work through MOU's with our local law enforcement agencies for a specific River patrol task force in the Bismarck/Mandan area. We continually work towards MOU's with tribes in North Dakota for cooperative fish and wildlife operational agreements for law enforcement.
- **New Innovations in Conservation Law Enforcement** –We are working on acquiring in-truck video cameras. We have been testing a couple units and once additional funding becomes available we will start the process to equip all our patrol trucks. We also currently have two Boston Whaler patrol boats set up with onboard cameras as well. They are a valuable tool for BUI arrests.
- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** – The Oil boom in North Dakota continues to be a hot topic not only in ND but Nationwide. Additional case load, overcrowded jails, and overwhelmed courts are a common place right now. We have seen a dramatic increase in persons failing to appear on citations. The increased paperwork not only affects the court system but our office as well to keep our records and the IWVC up to date.
- **Cost Savings Initiatives** -
- **Other Special Law Enforcement Issues** - Department is in the final stages of a performance audit.

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

**2014 Agency Report**

State/Province: Ohio

Submitted by: Ken Fitz, Executive Administrator

Date: April 21, 2014

- **Training Issues**

*At the annual statewide training in defensive tactics, a "cage" was built for use in practical exercises in defensive tactics. The appearance of the cage led to higher stress levels to simulate active high tension situations. This training follows quarterly session held throughout the state and serves as an evaluation tool for those sessions.*

*In response to increased fur prices and an increased interest in trapping and hunting furbearers, a specialized one-week "furbearer school" was developed. Officers were trained in how to set traps, what to look for and how to process fur so that they would know what to look for. In addition, lesson plans included the history of trapping, and the variety of traps available. The course was developed with cooperation of the Ohio State Trappers Association. The association provided additional instructors as well as equipment.*

*A one-week long waterfowl enforcement school was also held, focusing on waterfowl laws, hunting methods, and identification both in the hand and in the field. This course had not been held for a few years, but has proven to be very informative to our corps of younger officers.*

*Both of these courses were held in a large public hunting area which houses a former private waterfowl hunting club. The facility provides sleeping quarters as well as a kitchen and small meeting room space.*

*The hiring process was completed for 16 cadet applicants. These cadets started their training the first week of January 2014. Over 800 applications were received, the highest number to date.*

- **Funding and Staffing Issues**

*Staffing levels for enforcement personnel have reached a ten year low. Changes in the retirement plan over the last few years has increased the retirement rate, and lowered the average age and experience level of our officers. Recruitment continues to be an issue, as qualified candidates are difficult to find.*

- **Major Conservation Law Enforcement Trends**

*No new developments or trends in non-traditional roles. However, we have seen an increase in drug activity on our areas, including methamphetamine labs and dumps of the by-products of these operations.*

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

*Development of a new Computer Aided Dispatch system with other divisions of ODNR was begun. This effort is led by the ODNR Office of Law Enforcement. A project to move dispatch duties from the ODNR to the Department of Public Safety (Highway Patrol) was also started.*

*An investigation in cooperation with the USFWS on the interstate movement of captive deer continued, resulting in several indictments in early 2014. The case is currently on-going.*

- **New Innovations in Conservation Law Enforcement**

*To recognize the good work done by officers, a series of challenge coins was developed, with criteria for awarding them. Coins may be awarded at the district level, from the headquarters staff, the training team or the office of the chief.*

*We have continued to issue AR-15 patrol rifles to the field, adding at a rate that can be accommodated by training abilities.*

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

*The control and regulation of captive white tailed deer was moved from the Division of Wildlife to the Department of Agriculture. In addition, new laws came into effect regulating "dangerous wild animals" in captivity, also under the Department of Agriculture.*

- **Cost Savings Initiatives**

*As with most state agencies, we have been faced with fiscal shortages. Efforts have been continuous to cut costs at any and all levels. Many positions have gone unfilled, as a means to cut costs, however, these are temporary fixes only.*

*Legislatively, we are seeking a nonresident fee increase, as our nonresident hunting license and deer permit fees were extremely low, especially in comparison to other trophy deer states.*

- **Other Special Law Enforcement Issues**

*Several new policies were implemented, including the use of a daily activity log and hourly status updates with the radio room. In addition, officers are now scheduled for a 28 day period, 28 days in advance. While this allows us to look ahead at staffing levels, it does not allow us to be flexible and respond to changes in weather or conditions that affect hunting and fishing activity.*

*An Inspector General's report accusing 17 officers of wrong-doing resulted in those officers being put on administrative duties. Ultimately, after in-depth administrative investigations were conducted, 14 were cleared and returned to duty facing no discipline, 2 were returned to duty facing minor discipline and 1 remains on administrative duty facing major discipline.*

*This report has caused an increase in public complaints, based on the press coverage and appearance of problem officers. It has obviously hurt morale. We continue to seek ways to improve morale and bolster our officers and the public confidence in them.*

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**Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report  
State: OKLAHOMA  
Col. Robert Fleenor, Chief  
Prepared by: Capt. David Deckard  
Date: April 29, 2014**

The following report covers the period July 1, 2013 through June 30, 2014 (FY2014) 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, operations manager and one secretary.

In addition, the agency has a reserve force consisting of 48 reserve officers who are agency employees assigned to various divisions whose primary duties are other than law enforcement.

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

**TRAINING ISSUES:**

All new game wardens undergo a five to six week division academy 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. 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.

They are also required to train and qualify annually with their pistols, shotguns and carbines. In addition, game wardens must also attend an annual 8 hour defensive tactics refresher course.

#### **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 any funding shortfalls.

Eight new game wardens will be hired during this period. They are expected to start June 1.

The Department recently conducted a Hay Group study regarding employee pay. The results allowed for numerous employees to receive substantial pay raises. The starting pay for new game wardens was increased by \$6,000 to \$38,344.00 per year. We hope the higher pay scale will help with recruiting and retention of employees.

We were able to purchase 18 Ford F-150 four-wheel drive extended cab pickups and 2 F-250 crew cab pickups. The Ford F-150s will have 3.7 liter V6 300hp engines. All of the trucks will also be converted to use CNG. The state now has a mandatory Compressed Natural Gas (CNG) requirement for most state vehicles. The CNG requirement cost the Division \$9,500 per vehicle for each aftermarket conversion for a total \$190,000 additional cost for vehicles. The cost savings per vehicle for the CNG are projected to break even at 70,000 miles or about three years. The equipment for this year's trucks has been upgraded with LED light bars, bed lining, and grill guards.

The division purchased 135 Glock Model 22 Generation 4 pistols to replace our older weapons. Most of the older Glock pistols were at least 12 years old and in need of refurbishing or replacement. Our officers were able to purchase their old pistols for \$275 each and we were able to trade-in numerous seized and forfeited firearms that also defray the cost of the new pistols. Our cost for the pistols was less than what it would have cost to refurbish and replace the night sights on the older pistols.

We were able to purchase 50 800mgz radios this year that were badly needed for wardens to be able to communicate in certain counties. The radios are currently being programmed and installed.

We also were able to purchase a 16' tunnel boat to help work shallow waters in the southern part of the state. Other equipment purchased includes trauma kits which were paid for by our Information and Education division and we are also replacing our old inflatable PFDs with new hydrostatic inflatable PFDs.

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

Game wardens were able to assist with security during the Presidential visit to Moore Oklahoma after the devastating and tragic tornado that hit that city last year. They also participated in the Governor's Memorial for the victims of the storm as well.

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

The division will be hosting the annual conference of the International Association of Natural Resources Crimestoppers in July of 2014. We are proud to be able to showcase our agency and state.

The division continues to cooperate with every state in efforts to combat fraudulent license applications and interstate wildlife violations. We are presently working with Tennessee with an investigation of a Tennessee outfitter and guides that were operating in Oklahoma using their client's unused permits to launder numerous trophy deer that the outfitter and guides killed. The subjects are facing charges in both states.

We continue to work with the US Fish and Wildlife Service in enforcing the federal laws occurring in our state.

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

We implemented an Investigation Unit this year to help combat the commercialization of wildlife. Initial training and equipment procurement was started last year for four investigators who work on a part-time as needed basis. A full-time investigator may be added at a later date. We have had some initial success already and expect to increase activity in the future.

We were able to procure a \$10,000 grant from Shikar Safari International to help pay for a body wire system and cell phone forensic equipment and software to be used by the Investigation Unit.

The Department recently deployed an on-line hunter education course that has decreased the demand for traditional classroom courses taught by game wardens.

The On-line check station or E-Check is now the main method of checking deer and turkeys. Paddlefish are now required to be checked on-line with E-Check starting this year as well.

Game wardens are now entering leave requests and vehicle fuel and equipment purchases electronically versus the old paper method that has been for years.

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

New legislation introduced this year: Legislation was introduced to prevent certified officers in the state to take cash from violators. This may adversely affect our officers to sell temporary hunting/fishing licenses and administrative fines in the field. License violators are allowed to purchase 30-day temporary licenses in lieu of going through the court system and saving themselves money. The administrative fine allows a violator to pay a reduced fine in lieu of going through the court system for certain commission regulations in the field. The administrative fine is set at one half of the regular fine or \$100 versus \$206 for the cost of a regular fine in the court system. It allows a person to save at least \$106 and not have to go to court or have a public criminal record for a wildlife violation.

New legislation for this year included a change of statute concerning lifetime licenses that requires a resident to show intent to remain a resident after purchasing a lifetime license. The intent of the legislation addresses past problems with non-residents establishing residency just long enough to qualify for the license and then quickly returning to their home state and re-establishing residency.

A bill establishing a Nuisance Wildlife Control Operator license was recently passed that will close some loopholes that had become a problem in the past.

Other changes include a statewide elk season that will help the depredation problems that we have been experiencing the elk herds in the state. The noodling rules were also changed to allow the taking of Blue and Channel catfish along with Flatheads.

#### **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, including the installation of after market CNG conversions, which will greatly impact our fuel bill.

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

Enforcement of the illegal harvest and sale of paddlefish eggs for caviar continues to be a major 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.

The paddlefish rules were changed limiting anglers to 2 fish per year and they must also check the fish in via E-Check. Paddlefish anglers can still catch and release.

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 costs in these popular and worthwhile projects. Other programs include the annual Wildlife Youth Camp, STEP programs and Aquatic Education. The recruitment and retention of fishermen and hunters and the sale of licenses to them is vital to our agency.

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

#### **2014 Agency Report**

**State/Province: SASKATCHEWAN**

**Submitted by: Tim Neuman, Intelligence Officer**

**Date: April 2, 2014**

- **Training Issues**

- A Search Warrant Training course was facilitated for all Compliance Area Specialists. The Compliance Area Managers have requested this training be provided to all conservation officers. This course, as well as an Interview/Interrogation course was presented by Saskatchewan conservation officers to officers in Iqaluit, Nunavut.
- Eight Compliance Area Specialists had an Internet Investigation course with Alberta officers.
- Sending three officers for national Undercover training in Toronto in May/14
- A Basic Law Enforcement course was given to Environmental Protection Officers.
- Saskatchewan is a member of the Western States Project that trains officers in environmental protection. It continues to send conservation officers and environmental protection officers for

this training.

- **Funding and Staffing Issues**

- A new Environmental Compliance Investigator position has been created and filled by a conservation officer
- The Investigations unit anticipates two positions (one undercover) to be in place this fiscal year
- The Ministry is preparing for more Senior Conservation Officer retirements in the districts this year.
- The 24 hour dispatch center operated by the Ministry is closing. It's duties will be taken over by the Emergency Communication Center (ECC) run by the Ministry of Government Relations, Office of Emergency Management and Fire Safety. The ECC will have access to CPIC and a link to this Ministry's Resource Intelligence data base. The Ministry's dispatch center will continue to be the data depository for all resource information produced by field conservation officers, Ministry branches and the public. It will develop intelligence from this information, handle special requests from officers and other function along this manner.

- **Major Conservation Law Enforcement Trends**

- One trend is the expansion of fish and wildlife violations found through social media such as Facebook, Kijiji and local buy/sell sites. Saskatchewan has developed a canned message for Kijiji and a second message for Facebook or buy/sell sites. These are to be sent to posters of the legal requirements and warning the next step could be prosecution.
- With increased provincial economic growth, activities affecting the environment are expanding. There is an increase of engineering companies in the province that are not familiar with the regulatory policy. New engineering companies entering the province are by-passing approvals for permits and not obtaining licences for the environmental protection of their operations such as:
  - o Increased uranium exploration on lakes and barges by companies
- Saskatchewan is becoming concerned with the expansion of zebra mussels into Manitoba. Conservation officers are working with Fisheries Branch to map out a strategy of information, education, monitoring and enforcement steps to prevent zebra mussel expansion into the province. Enforcement of the invasive species legislation may become a major duty for the conservation officers due to the environmental and economic impact the zebra mussels pose.

- **Enforcement Efforts**

- Conservation officers checked a Texas couple hunting on white-tailed deer licences issued to British Columbia residents driving a Colorado rental vehicle. Assistance from these jurisdictions was requested to establish true identities and further the investigation.
- A request for interviews to be done on Ohio, West Virginia and Alberta residents involved in illegal hunting plus export of moose and migratory birds while hunting with an outfitter on a first nations reserve.

- **New Innovations in Conservation Law Enforcement**

- Saskatchewan has developed a satellite based monitoring system for low traffic areas such as illegal bait sites, trails behind closed areas, etc. The unit combines a SPOT Personal Locator Beacon and a metal sensor. The unit notifies a conservation officer on his cellular phone when a vehicle passes by the metal sensor and enters into the area to be monitored.

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

- **Cost Savings Initiatives**

- **Other Special Law Enforcement Issues**

- The illegal water drainage by a landowner pits him against other landowners downstream. This draining affects other jurisdictions downstream in Manitoba and North Dakota by adding more water into the river systems causing more flooding.
- The illegal sale of commercial or subsistence/indian fishing of walleye continues. Undercover operations conducted in the Buffalo Narrows area on the illegal sale of walleye and the illegal buying of walleye by Saskatoon restaurants was concluded and court decisions are pending.
- An off shoot of an intelligence probe in the Creighton area resulted in the purchase of two stolen shotguns by the under cover officer.

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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, 2013, through March 31, 2014, 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** – Regional Supervisor positions are reverting to non-LE (currently 2 of 4 are non-enforcement). Additionally, the Assistant Director position (supervises four Regional Supervisors and the LE Administrator) is a non-enforcement position.

Number of Officers: **78 total officers in Wildlife Division:** 53 CO's, 12 District CO Supervisors, 5 Regional CO Supervisors, 2 Regional Supervisors, 1 Regional Program Manager, 2 CO Specialists, 2 Investigators, 1 LE Administrator.

**TRAINING ISSUES**

We continue to make strides within our boating enforcement training program. Areas of instruction vary from year to year, but typically encompass everything from basic boating law review to boating under the influence (BUI) intervention and arrest. Officers typically spend a portion of their training in the classroom, with the remainder of their training being spent on the water. The number of scenarios a Conservation Officer might encounter on the water is endless, so the training they receive is always geared towards better preparing them for variety of situations they may have to address.

Annual officer in-service was held in February of 2014, in Mitchell. Topics included search/seizure updates, defensive tactics training, officer survival, DUI refresher, USFWS updates, social media

investigations and trapping enforcement. The training is usually held for parts of four days and is one of the few venues where all of the officers are together at the same time.

## **FUNDING AND STAFFING ISSUES**

The Wildlife Division completed an officer recruitment/retention study to better evaluate key issues and implement strategies to address the problem of officer turnover. Adjustments were made to agency organizational structure to improve operational effectiveness and create additional opportunities for upward mobility by:

- Developing a Regional Conservation Officer Supervisor position in each region who will supervise CO Supervisors.
- Increasing number of (District) CO Supervisors in each Region from two to three. These positions directly supervise field officers and also have patrol duties. The district approach is a departure from the county approach previously employed. The district will be required to focus as a team to ensure the work tasks are accomplished.
- Developing a Conservation Officer Training Supervisor (upgraded existing position) within LE Administration.

These new positions were announced and filled in 2013. We are currently reviewing the effectiveness of this reorganization.

## **MAJOR CONSERVATION LAW ENFORCEMENT TRENDS**

License revenues were down 5.9% in 2013, which caused the tightening of budgets within the Division of Wildlife. Most of the budget cuts were targeted for capital asset purchases and not programs or constituent services. Our agency relies on nonresident small game license sales, primarily by pheasant hunters, to stay financially strong. Those sales, in particular, were down 19.9% and greatly impacted total hunting/fishing license sales.

We will embark on our second year of an April program, designed to harvest nuisance resident Canada geese on specific parcels of private land in eastern SD that have experienced depredation issues. Only 820 geese were harvested in 2013, largely a result of early-Spring snowstorms. Program guidelines include:

- Only South Dakota residents 18 years of age or older are eligible
- Volunteer Hunter Program harvest dates are April 1 – April 30
- Open areas are on identified private property (i.e. public land is NOT open)
- No calls, blinds, or decoys are allowed for this program
- Only shotguns with non-toxic shot shells may be used
- Shotguns with a shell capacity of more than 3 shells are allowed
- Shooting from road right-of-ways is prohibited
- Shooting from vehicle is prohibited
- Shooting geese not in flight is prohibited
- Geese with visible young may not be taken
- Shooting is allowed from 30 minutes prior to sunrise to 30 minutes after sunset
- Volunteer Hunters must have permit and reporting form in possession while in the field
- Each permittee is limited to 25 geese total
- Permittee may have up to 3 designated volunteers
- Permittee will be required to keep log of birds harvested and update daily
- Permittee must submit report to GFP of total birds harvested by May 2
- Harvested geese must be donated to Sportsmen Against Hunger (SAH)

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

Our agency owns, operates, and manages a hunting/fishing/trapping license sales system that processes over 650,000 transactions annually for nearly 400,000 unique license holders. Our current hunting, fishing and trapping license system allows for people to purchase a license 'online' and print it off at home, so there is no 'official' paper that the license is printed on. The only way to verify that someone has a valid license and has not altered or forged a hunting, fishing or trapping license is to check that license against our database. We are in the process of developing a smart phone/remote access device application (App) that will create a native Android application to be used by Conservation Officers in the field. The first iteration of this application will provide Conservation Officers a tool to access "real-time" hunting and fishing license holder data in the field. The application will use the device camera to scan a unique QR or UPC code located on an individual's paper license, which will be uniquely associated to their license information. This data will be stored in an encrypted local database. Data will be continuously updated through an XML web service. The Android based App should allow applications to run on the device in the background. This will enable data transfer to occur while Conservation Officers travel within cellular zones, updating the local database with the most recent hunting and fishing license data. Data transfer will be secured through SSL. We are currently looking at devices, such as the Samsung Galaxy to "test".

All vessels with radio communication technology (49 in total) were updated with P25 compliant radios in 2013. We have now updated the vast majority of our mobile/portable radio units to P25 compliant models. We are still at least three years away from a possible switch to a P25 state radio system in South Dakota.

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

A divided United States Supreme Court in *Missouri v. McNeely* determined that the natural dissipation of alcohol in the bloodstream does not automatically constitute an exigency in every case sufficient to justify conducting a blood test without a warrant. The ramification of the *McNeely* decision on South Dakota DUI/BUI law and procedure will ultimately be determined by the courts. However, our agency has been provided with guidance from the SD Attorney General:

1. Officer should attempt to obtain consent.
2. If consent is not obtained, officer will need to determine if exigent circumstances exist. These include, but are not limited to:
  - a. Length of time elapsed from stop to point of refusal plus the time it would take to obtain a search warrant;
  - b. Availability of a magistrate or on-call judge to approve a warrant;
  - c. Reasonable efforts officer has made to obtain a search warrant;
  - d. Availability of cell phone coverage by officer;
  - e. Length of time elapsed from time of reported incident and when officer arrives on scene;
  - f. Length of time involved in investigation being undertaken by the officer(s) on scene;
  - g. If crash was involved, time it takes to investigate and transport the suspect to the hospital;
  - h. Consciousness of defendant;
  - i. Factors causing delay in obtaining the warrant, if process has started;
  - j. Any other facts necessitating an officer to act immediately in order to preserve evidence.

3. If consent is not obtained and the officer does not believe sufficient exigent circumstances exist, a search warrant application should be made.

Another important US Supreme Court case was decided on January 23, 2012. *US v. Jones* has a bearing on the warrantless use of GPS Tracking devices in law enforcement. In this case, the Court held that:

- Attaching the device to the vehicle for the purpose of obtaining information was not a seizure, but it was a search.
- The Fourth Amendment was intended to protect “persons, houses, papers and effects” against unreasonable searches and seizures by the government.
- The vehicle being used by the defendant was an “effect” within the meaning of the Fourth Amendment and, as such, was entitled to constitutional protection”
- Because there was no meaningful interference with the defendant’s ability to possess or use the vehicle, there was no seizure.
- But, when the government “physically occupies private property for the purpose of obtaining information,” a search of constitutional significance has occurred.
- “By attaching the device to the Jeep, officers encroached on a protected area.”
- Thus, their trespass constituted a search.
- In addition to a trespass-type search, an intrusion of constitutional significance also occurs when the government violates one’s reasonable expectation of privacy.
- A search triggering Fourth Amendment protections will occur when:
  - The government physically occupies (as in this case by attaching the device) private property for the purpose of obtaining information; or
  - The government violates (physically or otherwise) a person’s reasonable expectation of privacy.
- Installation and monitoring of a GPS tracking device triggers both analyses.
  - Installation of the device on personal property owned or controlled by a target will most often constitute a trespass,
  - While warrantless tracking within an reasonable expectation of privacy area is a violation of the Fourth Amendment.

As a result of this case and a SD Supreme Court case (*State v. Elmer Wayne Zahn*), there is new law within our state regarding the requirement of a search warrant:

### **23A-35-4.3. Search warrant for installation, use, and maintenance of tracking devices.**

(a) Tracking Device Defined. As used in this section the term tracking device means an electronic or mechanical device which permits the tracking of the movement of a person or object.

(b) Contents. A search warrant for a tracking device may be issued by any magistrate authorized in § 23A-35-2 for the installation, use, and maintenance of a tracking device. There must be probable cause to search and seize property as set forth in this chapter and that such installation and use of this device will lead to the discovery of evidence under § 23A-35-3. The tracking-device warrant must identify the person or property to be tracked, designate the magistrate to whom it must be returned, and specify a reasonable length of time that the device may be used. The time may not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to complete any installation authorized by the warrant within a specified time no longer than 10 days.



(c) Scope. Any tracking-device warrant issued under this section may authorize the use of the tracking device within the jurisdiction of the magistrate, and outside that jurisdiction if the tracking device is installed within the magistrate's jurisdiction. The executing officer must perform any installation authorized by the warrant during the daytime, unless the magistrate for good cause expressly authorizes installation at another time.

(d) Return. The tracking-device warrant must command the executing officer to return the warrant to the magistrate designated in the warrant. The officer executing a tracking-device warrant must enter on it the exact time and date the device was installed and the period during which it was used.

(e) Service. Within 10 days after the use of the tracking-device has ended, the officer executing a tracking-device warrant must serve a copy of the warrant on the person who was tracked or whose property was tracked. Service may be accomplished by delivering a copy to the person who, or whose property, was tracked; or by leaving a copy at the person's residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the state, the judge may delay notice for reasons set forth in subsection (f).

(f) Sealing of Contents of Warrant. With respect to the issuance of any warrant under this section, a judge may, upon a showing of good cause, seal the contents of a warrant and supporting documents until the termination of an investigation, an indictment or information is filed, or as otherwise ordered by the court for purpose of preventing

(1) endangerment of life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence;

(4) intimidation of potential witnesses; or

(5) if failure to seal would otherwise seriously jeopardize an investigation or unduly delay a trial.

**Source:** SL 2013, ch 265 (Supreme Court Rule 13-04), eff. Feb. 14, 2013.

### **Tschetter Case**

The last defendant of a group of six individuals from Yale, S.D., who had been charged with poaching deer, was sentenced in State Court in Dewey County on October 25, 2013. John P. Tschetter, 32, plead guilty to eight criminal offenses stemming from a two-year investigation. The offenses included two counts of conspiracy to unlawfully possess big game and six counts of unlawful possession of big game.

Wildlife officers acted on tips from concerned citizens and began documenting trips the group took to the Timber Lake area in western South Dakota. Officers documented violations during the 2011 and 2012 West River Deer seasons. Tschetter and his associates violated numerous game laws including big game tag transfers, chasing big game with motor vehicles, shooting at big game from motor vehicles, hunting without licenses, failing to tag big game animals, improper use of radios to hunt big game, taking over limits of game and wanton waste of game.

Circuit Judge Jerome Eckrich sentenced Tschetter to pay \$4,000 in fines/costs, \$15,000 in civil damages and \$4,500 in restitution for the cost of investigation. Tschetter received 240 days of jail for all of the counts, with all but 28 days suspended. The judge ordered him to serve the first four of the 28 days over each of the next four West River Deer openers. The remainder must be completed by Dec. 1 of the specified year. Additionally, Tschetter was ordered to complete a hunter safety class and serve a six year hunting revocation. He was placed on unsupervised probation for four years and forfeited two hunting rifles.

Prior to Tschetter's court appearance, five other defendants had previously plead guilty in Dewey County.

- Jeff Tschetter, 55, Huron – big game tag transfer; fined \$584 and 1 year revocation
- Kayce Tschetter, 32, Yale – big game tag transfer; fined \$584 and 1 year revocation
- Scot Eckmann, 53, Cavour – unlawful possession of big game; fined \$334 and 1 year revocation
- William Fast, 49, Yale – unlawful possession of big game; fined \$2,336 and 1 year revocation plus \$2,000 civil penalties
- Adam Doerr, 28, Huron – unlawful possession of big game; fined \$1,752 and 1 year revocation plus \$2,000 civil penalties

### **Rock Creek Ranch/Chauncey Case**

This case revolved around Rock Creek Ranch, located in the south central part of South Dakota, which is operated by John Chauncey. Past intelligence that was gathered resulted in a joint investigation between South Dakota and the US Fish and Wildlife Service in 2011 and 2012.

Violations that were uncovered included:

- Killing deer without licenses
- Bow tags – rifle deer
- Transporting untagged deer
- Failure to tag deer
- Transferring licenses
- Migratory Bird Treaty Act violations (Killing Hawks)
- Turkey No License
- Shooting Hen Pheasants

The investigation revealed that 22 individuals had committed big game violations associated with Rock Creek Ranch. Chauncey allowed deer to be taken without licenses. He facilitated license transfers from his family members to nonresident hunters. Chauncey coached nonresident hunters on applying for antlerless tags and archery tags to cover unlawfully taken animals. Deer were routinely transported and hung in Chauncey's barn without tags attached. Tags were sometimes put on animals before they were transported to the home state. John Chauncey would allow hunters to take extra buck deer for a fee. The fee ranged from \$1200.00 to \$2500.00 per deer.

Three hunters killed three illegal buck deer each in 2012. One Group of Michigan Hunters killed 26 buck deer illegally from 2010 through 2012. Scott Robertson killed three illegal deer in both 2008 and 2009. These deer hunts were all filmed for his Outdoor Channel TV show. His wife Wendy Robertson killed one illegal deer during this timeframe as well.

Sentencing Summary:

- Fines/Restitution = \$ 241,415.00
- Hunting Revocation = 39 Years
- Jail Time = 910 Days, 610 Suspended
- Supervised Probation = 2 Years
- Unsupervised Probation = 19 Years
- Firearms Forfeited = Five



Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report

State/Province: Texas

Submitted by: Major Larry E. Young – Texas Parks and Wildlife Department – Law Enforcement Division  
April 2014



- **Training Issues** – The Texas Parks and Wildlife Department – Law Enforcement Division (TPWD-LE) continues to encourage and promote relevant training to ensure game wardens are prepared to meet the demands of their job. Some highlights from the past year include:
  - Game wardens statewide have participated in numerous training classes including Cultural Diversity; Analytical Interview and Interrogation (Basic & Advanced); First Aid CPR (Combat Trauma); Firearms Instructor classes including one taught by IALEFI; Both M-4 and Glock Armorer's classes; High Risk Vehicle Stops; M-4 Weapon Mounted Light training (Low Light Weapon Training); NASBLA seated SFST; as well as TCOLE (Texas Commission on Law Enforcement) mandated training including the legislative update for the 83<sup>rd</sup> Legislative Session. In addition, TPWD-LE continues to stay aligned with the TCOLE training requirements and game wardens are encouraged to attend training in the course of their respective careers to obtain proficiency certificates including intermediate, advanced, and master peace officer ratings. The Law Enforcement Division has authorized officers to attend training on work time and at the expense of the division.
  - In FY 14 the Law Enforcement Division received formal accreditation from the National Association of Boating Law Administrators which formally recognizes the LE Division for meeting the national standards for the BOAT (boat operations and training) Program. Texas is the fourth state in the nation to be formally recognized for meeting the federal training standard for maritime law enforcement and the accreditation solidifies the LE division role as the lead agency on public waters. In addition, the accreditation facilitates the LE division's ability to interact with other maritime agencies and serve as a force multiplier nationwide.

- TPWD-LE has provided officer water survival (OWS) training to game wardens in advance of the spring and summer water safety season. This training is part of the National Association of State Boating Law Administrators (NASBLA) Boat Operations and Training (BOAT) Program catalog of nationally credentialed courses. Twenty game wardens went through this two-day course, which includes skills in surviving a water entry in uniform, disengaging from an assailant while in the water, water extraction techniques, and other lifesaving water skills
- TPWD-LE hosted the first Comprehensive Boat Accident Investigation course of 2014. This course provided by the National Association of State Boating Law Administrators (NASBLA) funded through a United States Coast Guard grant brought 60 law enforcement officers from all across the United States to one location to train on special techniques for investigating boating accidents. The class was attended by a very diverse group from federal, state and local jurisdictions from states as far away as Alaska, Kansas, Oklahoma, Florida, and Virginia and one international attendee from Canada. The instructor cadre included Marine Patrol Officers from Missouri, Wisconsin, Florida and Texas.
- TPWD-LE continues with a strong tradition of representation at the prestigious FBI – National Academy with game wardens attending when in positions are offered to the LE division. The 10 week course of study is instrumental in providing the training to prepare ranking game wardens for future roles in senior management.

**Funding and Staffing Issues** – TPWD-LE continues to maintain a substantial force of over 500 game wardens statewide. As with many agencies TPWD-LE has had to work with senior management, legislators, and constituents to ensure the strong tradition of Texas Game Wardens endures during difficult economic times. While there are still Law Enforcement Division concerns, such as the aircraft fleet and the vehicle fleet, the division as a whole has fared well. Some highlights include:

- TPWD-LE now has two full time recruiters (one Game Warden V and one Lieutenant Game Warden) to assist with recruiting efforts.
- In addition to the new recruiters game wardens statewide will have a recruiting component added as part of their annual performance evaluation in an effort to increase diversity in the work force.
- The 83<sup>rd</sup> Session of the Texas Legislature has ended and there are numerous bills and legislative funding issues that impact TPWD-LE. One of the most notable is a pay raise for state peace officers to bring their pay into parity with that of other municipal police departments throughout the state. (See full report below for legislative update.)
- The next game warden cadet class is scheduled to start September 1, 2014 and the LE division is anticipating a cadet class of 19. In addition, this will be the first class to include cadets from the State Parks division that will serve as Park Peace Officers upon graduation from the 7 month academy.
- TPWD – LE is in the process of outfitting 130 patrol trucks to be assigned to field game wardens this fiscal year and five of the patrol trucks will be customized K-9 units. In addition to the patrol trucks, five Tahoe's have also been customized as K-9 units.

- The Texas Legislature approved the purchase of a new helicopter by the LE division and final best offer bids are due back from vendors to state purchasers by April 2014.
- **Major Conservation Law Enforcement Trends** – Significant advances have been made by TPWD-LE in support of major conservation law enforcement trends. Whether working traditional conservation law enforcement efforts in federal waters or being the lead agency on border operations game wardens continue to adapt and excel as their job duties change and expand. A few examples of TPWD-LE involvement in these trends include:
  - TPWD-LE has conducted numerous fisheries outreach events for other government and non-government agencies as well industry personnel to ensure commercial and sport fishing regulations are understood and concerns are addressed.
  - TPWD-LE is recognized as being the lead agency enforcing the Texas Water Safety Act on all public waters in the state. Boating While Intoxicated (BWI) is an integral part of that enforcement effort and game wardens have incorporated “no refusal weekends” and “mandatory blood draws” as tools to be utilized when handling BWI suspects.
  - Border operations continue to be an enforcement effort game wardens are involved with along the Texas/Mexico border and in the Gulf of Mexico. TPWD-LE game wardens fill a vital niche with their expertise of navigating the waterways and back country of rural Texas. Some of the most challenging areas for game wardens to patrol are the remote mountains and canyons in the Big Bend region of west Texas. While maintaining these patrols game wardens are constantly in search of illegal drug and human smuggling activity in addition to their enforcement efforts of the Texas Parks and Wildlife and Penal Code. These operations serve a dual purpose by allowing game wardens to practice conservation law enforcement while serving as a force multiplier providing security along the border.

**Unique Cross Boundary or Cooperative, Enforcement Efforts** – TPWD-LE continues its involvement with several cooperative enforcement efforts with federal and state partners which include:

- Working alongside with state troopers from the Department of Public Safety, the Game Warden Training Center staff has implemented a training block involving all commissioned game wardens on proper procedures for handling high-risk vehicles stops. This new approach to these type of vehicle stops will serve both agencies as they work together to be consistent in the tactics utilized in the field. This training will also be shared with local LE partners as we encourage them to adopt this method of conducting high-risk vehicle stops.
- The U.S. Coast Guard continues to be a partner on the maritime forefront whether working together on border operations or fisheries issues. In addition, Recreational Boating Safety funds enable game wardens to maintain and enhance their officer presence on all waters of the state as they continue to serve as the lead agency ensuring public safety on public water.
- TPWD-LE has partnered with NOAA – Office of Law Enforcement, National Marine Fisheries Service since 2001 by maintaining a Joint Enforcement Agreement that provides federal funds for state game wardens to patrol coastal waters and points-of-entry for enforcement of recreational

and commercial fisheries violations. This successful partnership has provided equipment and operational funds which have allowed for increased officer presence in the bays and Gulf of Mexico.

- A cooperative effort between Texas Game Wardens, the Game Warden Search and Rescue (SAR) team, Border Patrol, TPWD State Parks, TEXSAR Texas State Guard Team, Travis County Search And Rescue (K9), Alamo Area Search and Rescue (K9), USBP Horse Team, Presidio County Sheriff's Office, Texas Department of Public Safety/Aviation Unit, Texas DPS, US Border Patrol Aviation (Alpine) and Air Methods (Air Ambulance) resulted in the successful rescue of a female subject lost at Big Bend Ranch State Park. The rescue made national headlines and all agencies involved with the rescue were commended for their team effort and interagency cooperation.
- TPWD-LE has joined with 42 other states as a member of the Interstate Wildlife Violator Compact which aides in prosecution of violators who commit game and fish violations in member states.

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

- After successful iPhone provisioning statewide to game wardens, the agency has rolled out its first app, which allows game wardens to verify Hunter/Boater Education status without making a call. A daily reporting app is coming out next, and several more are planned thereafter. 440 Mini iPads have been acquired, and additional registration/ticketing systems are being evaluated for field use.
- 10 Mobile Fingerprint Readers have been successfully deployed to game wardens statewide, with 40 more in process. These have led to enhanced identity verification capabilities in the field.
- The TPWD Law Enforcement Division Facebook presence is sizeable, with an average of 4,400 weekly engaged users. Twitter presence is sizeable, with over 2,000 followers and growing. The social media team has completed two virtual ride-alongs, resulting in exposure to over 120,000 viewers.
- Internal and external web sites have been updated and are now authored by game wardens for game wardens and their constituents. The intranet site has been optimized for the field, making forms easier to navigate and use.
- Operation Game Thief (OGT), enacted by the 67<sup>th</sup> legislature in 1981 is the states' premier crime stoppers program for reporting fish, wildlife and certain water safety and environmental crimes violations. The primary focus of the program is to assist game wardens of the law enforcement division in the investigation and apprehension of violators. This is accomplished through the rewards program offering up to \$1000.00 for information leading to a conviction. OGT is no stranger to the age of new technology and as a result the program has incorporated a Text Tip reporting feature at **847411** in addition to the already established **1-800-792-4263** hotline, to further add to the game wardens ability to receive information quicker in real time and improve apprehension of violators. In addition OGT has a new software program in the works for the actual reporting and tracking of information and violations that will speed up report writing time and allowing the game warden to spend more time in the field instead of the office writing OGT reports. This new reporting software is due to roll out in March or April, 2014.

- **State, Regional and National Issues, Legislation, Legal Challenges and Court Decisions Impacting Natural Resources Law Enforcement** – The following legislation was enacted by the 83<sup>rd</sup> Session of the Texas Legislature (HB – house bill):

- HB 1241 will allow game wardens (and other authorized department employees) to inspect vessels for water in live wells or other storage containers when that vessel is leaving or approaching water that is infested with a harmful exotic species. The purpose of this bill is primarily aimed at stopping the spread of zebra mussels in freshwater.
- HB 597 provides for the enhancement of the boater education program to include information on exotic invasive species in Texas and how to prevent the spread of these species.
- HB 820 and HB 2649 pertain to the deer breeder industry. HB 820 provides guidelines for euthanization of captive deer to prevent the potential spread of disease and the duration of permits for deer breeders. HB 2649 lowers violations of triple “T” permits (trap, transport, transplant) from a class “B” misdemeanor to a class “C” misdemeanor.
- HB 3279 creates a violation for uprooting seagrass along the entire coast of Texas. Currently it is a violation to uproot seagrass in a designated state scientific area and this bill will expand that law to provide blanket coverage for the entire coast.
- HB 1818 authorizes the use of confiscated revenue, revenue generated by the sale of confiscated illegally taken aquatic product and wildlife, by TPWD-LE. This bill will provide access to numerous cases that are now held in a suspense account for an indefinite period of time.
- State Legislators authorized an across the board pay raise for all state employees and included in the raise was a substantial increase in pay for all schedule “C” employees (state certified peace officers). The raise for all employees will be implemented over the biennium with a portion of the raise coming September 1, 2013 and the remainder becoming effective on September 1, 2014.

- **Cost Savings Initiatives –**

- TPWD-LE continues to move forward with embracing new technology and incorporating new ideas and concepts into the traditional methods of accomplishing the agency and division missions. E-documents and interactive conference calls are replacing massive mailings and face-to-face meetings which were once the standard. As a result TPWD-LE disseminates information in a more timely and efficient manner at an overall cost savings to the Law Enforcement Division.

- **Other Special Law Enforcement Issues –**

- TPWD-LE has successfully made the transition from five (5) geographic regions – with a field Major in charge of each region – to eight (8) geographic regions statewide. The transition originally reduced the number of regions from ten (10) to five (5) to enable cost efficiency; however, the diversity of activities in the larger regions required the reintroduction of three (3) regions to provide better service and communication for our constituents. The expansion to eight (8) regions also creates a more efficient command structure for all game wardens within their respective region.



- TPWD-LE remains on the forefront of providing the most advanced equipment; technology and training available for all personnel to ensure officer safety and productivity are maintained at the highest level. This is accomplished at a time when the Law Enforcement Division continues to expand its conversation law enforcement efforts into non-traditional fields such as border operations and numerous team concepts. Additionally, TPWD-LE continues with efforts within the conservation realm by more intense participation in areas ranging from fisheries enforcement in federal waters to education and enforcement efforts of harmful exotic species regulations within the state.

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**Association of Midwest Fish and Game Law Enforcement Officers  
2014 Agency Report  
Wisconsin:  
Submitted by: Todd Schaller , Chief Warden  
Date: April 17, 2014**

### **Training Issues**

Breachpoint Training –Chief Kent Williams of Breachpoint Inc. provided some excellent wellness and leadership training to all administrative and supervisory wardens. Based on this initial training, plans are being made to bring him back to provide additional training all LE staff and possibly immediate families/significant others.

Personal Protection Training – The warden service continues to receive requests to assist with dignitary and executive protective detail. Training was provided to wardens from the Department of Criminal Investigation on proper procedures and protocols when working on these details.

NACLEC Leadership Academy – Assistant Chief and Captain will be attending the NACLEC (National Association of Law Enforcement Chiefs) academy in West Virginia. The focus of the training will be to lead conservation departments in the future amongst all the change.

Building Security – Due to the prevalence of active shooters and disorderly patrons the department has placed focus on active shooter training and emergency response to its employees. Wardens have assisted with the statewide focus on state building security and are working with facility staff to correct safety concerns and implement new building policies.

Standardized Seated Field Sobriety Training – OWI continues to be a leading cause of injury and death on recreational vehicles. A standardized process for field sobriety testing was developed (nationally) to assist with detection of alcohol influence for the unique situations that officers apply these tests. WDNR has certified all of their wardens, assisted in training other agencies, and placed this training into academy curriculum for incoming officers.

Advance Field Training Officer – Through a department of justice grant, all field training officers will be attending a three day advanced field training seminar on legal issues, coaching, and mentoring recruits during field training assignments

Explosives Awareness Training – All Conservation Wardens were provided explosive awareness training with the Milwaukee Bomb Squad this past winter. Six sessions were held with almost 250 attendees.

Training Workload – 43 Conservation Wardens have been hired in the past three years. In addition, 15 additional employees with Parks, Forestry GLIFWC, and Waterguards have attended the Natural Resources Academy. This has resulted in a significant workload in hiring, background investigations and training. Wardens and Rangers have invested a significant amount of time training staff who attended these academies with unusually large attendance.

## **Funding and Staffing Issues**

FY15-17 Biennial Budget Requests – We are currently in the planning cycle for the next upcoming biennial budget. WI has several items that been identified and moved forward at this time:

- Increased OT Funding
- Increased Environmental Funding
- Increased Public Safety Funding
- Computer Replacement (looking at tablets)
- Records Management System
- Replacement Snowmobiles
- 

Increased Reliance on Federal Grants –WI continues to try to maximize our legitimate usage of the federal grants (PR and USCG). Of interest, we have discovered that our wardens really do many of the same tasks as wildlife biologists such as participating in wildlife surveys, developing new hunting and trapping rules and regulations, and registering deer, turkeys, and certain furbearers. If we use the same criteria as Wildlife Management staff we can utilize the PR grant for these activities as well. We completed a large scale update of our accounting and application process to make this a reality.

Staffing Issues – We had another good recruitment at the beginning of 2014, bringing on 13 new officers. We currently sit at 0 vacancies, although 4 of these positions are filled by people who have already retired from daily work but are now just using up sabbatical leave. We anticipate about 10 more similar retirements by the time we are able to hire the next class of recruit wardens. Additionally, the timing of these retirements coming off their sabbatical may affect our initial hiring date for the next class. Despite additional efforts this year, ethnic diversity still remains a challenge in hiring our permanent staff.

## **Major Conservation Law Enforcement Trends**

Deer Hunting Regulation Changes – Significant changes to the structure of the deer hunting seasons and regulations in Wisconsin are being implemented over the next couple of years. Wardens will be working to educate and assist the public in making this a smooth transition.

Emergency Response – Weather patterns continue to fluctuate and we continue to see an increase in adverse weather events. Wardens are now routinely contacted to assist with search and rescue and response to large storm and flooding events. A new approach has been taken with regards to warden response to these events. Utilizing the Incident Action Plan system we have developed blue prints for staff and asset response.

Captive Wildlife – Realizing an increase in the amount of illegally held wildlife issues wardens are responding to. These continue to be highly contentious/emotional issues for all parties involved. Many of the contacts have led to large traditional and social media campaigns focusing in on agency policy.

Open Records – Open record requests continue to be a large workload for staff within the department. It appears that now more than ever the public is choosing to file requests for information in lieu of speaking with staff.

Commercialization of Resources –Commercial harvest and sale of fish, ginseng and bait continue to be a workload for wardens. In addition, there has been some preliminary biological studies showing that aquatic invasives and various pathogens are being transported and entering state waters through these commercial activities.

Aquatic Invasive –Invasive species management has become a serious workload and significant public funding supports education and enforcement initiatives. The Wisconsin Warden force has developed the “Water Guard Program”, which integrates with the Division of Waters to augment education initiatives, public outreach and enforcement of Wisconsin’s invasive species laws. Water Guards generally become deputy conservation wardens and go through the department’s law enforcement academy for LE certification. This is also an excellent recruitment tool for full-time Conservation Wardens.

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

Tribal Relations –continue to build a strong partnership with our Great Lakes Indian Fish and Wildlife Commission Wardens (GLIFWC)- GLIFWC has jurisdiction over tribal members off the reservation but within the ceded territory. During this past year GLIFWC and WI Wardens have partnered during academy, firearms certification, team and regional trainings and work together to solve major wildlife violations.

Tribal Youth Initiative-The Department of Natural Resources has worked with the Lake Superior Chippewa Indian youth to provide them hands-on training on natural resource related issues. The youth are hired to complete habitat related projects on trout streams, boat landing improvements, trail maintenance and conduct various tree plantings to name a few. This initiative started several years ago with the Lac Courte Oreille tribe and has become so popular additional tribes are working toward their own youth outdoor projects. In 2014, the St.Croix Tribe was added as to the tribal youth initiative outreach.

Chippewa Indian Tribal Training- This past year all DNR LE Officers working within the ceded territory attended a one-day training session provided by tribal members on numerous tribal cultural issues including: Sovereignty, Tribal Culture, Sustenance Hunting, Importance of Wild Rice and GLIFWC Warden Authority. The training was very valuable and assisted with DNR LE Officers understanding of our tribal harvester’s culture.

Records Management System – Wisconsin shadowed MN DNR during their RMS evaluation and purchasing process. WDNR is using this experience as the 1<sup>st</sup> step in moving forward with a RMS system.

Airboat Training –In March, Minnesota and Wisconsin Wardens met to engage in airboat training for DNR and local LE agencies. Minnesota hosted this 2-day classroom and skills training along the Mississippi River near Winona, Minnesota. Wisconsin is in the process of reviving its aging airboat fleet. Officers learned to operate in all types of conditions during daylight and night-time operation. Wisconsin will be receiving two new airboats this season.

Ginseng Enforcement – Wisconsin Wardens partnered with USFWS agents and Wardens from Iowa, Illinois and Minnesota to audit and investigate nearly 400 ginseng harvesters identified as having

questionable transactions over a 5-year period. This was a first of its kind, multi-agency effort that culminated in training and briefing 150+ officers for a one day training event and 5-day takedown in various areas of MN and WI.

Integrated Warden, Parks, Forestry, and Lands Law Enforcement Team – This team has been actively working to address issues germane to all law enforcement programs within the Department of Natural Resources. Examples include the development of common policies and procedures, joint recertification training, hiring etc.

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

Mission Ready Teams – The warden service continues to be called upon to provide expertise and equipment in marine and outdoor environments. In an effort to meet this need, the warden service has developed statewide specialized “mission ready” tactical teams for on-water security, ROV, dignitary security, tactical flight operators and tactical enforcement teams. Wardens selected for these teams are provided additional training and equipment to be proficient in their selected area of expertise.

Trauma Medical Kits – Applying knowledge learned from recent active shooter response, our wardens are being equipped with personal carry medical trauma kits (tourniquets) for use in responding to critical incidents.

Smart Phones – Warden staff are transitioning to smart phone technology across the state. With the sharp increase in smart phone participation we are realizing great cost savings with regards to cancelling office lines and other technologies. The implementation has improved efficiencies and tools available to our Law Enforcement officers.

MACH- Mobile Architecture for Communications Handling was installed on warden computers in 2014; training occurred at in-service February-March. This technology will completely replace the vehicle locator system that was installed under Windows XP operating systems. Our CF 31 computers operate in a Win 7 environment. Wisconsin DNR Warden Service partnered with the Wisconsin State Patrol to create a statewide MACH system other agencies can join. The enhanced program not only shows where officers are on a map, but it also allows for asset management such as directing the closest and most appropriate resources to the event. Whether it be enforcement officers to a disturbance, ambulances to a multi-vehicle crash or sand trucks to a snowstorm event.

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

Wisconsin Legislation passed during 2013-14 Session as of 4-1-14

2013 Act 15 -	<b>Relating to:</b> age and speed restrictions on, and safety certification requirements for, the operation of ATV's and UTV's.
2013 Act 20 -	<b>Relating to:</b> executive budget act of the 2013 legislature - Created a fishing license exemption for artificial ponds located entirely on private lands of one owner. - Hunting wolves at night no longer authorized - Start date of elk hunting season Not to be before October 15 - Reduced fee for wolf hunting licenses - Annual State Park/trail fee waivers for residents on active duty in the U.S. armed forces

	<ul style="list-style-type: none"> <li>- Vouchers for a hunting or fishing license veterans returning from Iraq and Afghanistan</li> <li>- Deer management assistance program (DMAP) - The department shall: <ul style="list-style-type: none"> <li>* promulgate rules to implement a deer management assistance program.</li> <li>* establish fees for participation in the deer management assistance program.</li> </ul> </li> </ul>
2013 Act 61 -	<b>Relating to:</b> Creation of a new authority to hunt deer a crossbow and requirements for establishing open seasons for hunting deer with a crossbow.
2013 Act 64 -	<b>Relating to:</b> Creation of a cumulative preference for sturgeon spearing permits and transfer of a sturgeon spearing license to a minor.
2013 Act 67 -	<b>Relating to:</b> Change in the definitions of an ATV & UTV, restrictions on operating an ATV or UTV on a roadway, and seating requirements.
2013 Act 69 -	<b>Relating to:</b> Establishment of a forfeiture citation procedure for wetland discharge violations, modification of the sturgeon spearing license issuance period, and authorizing electronic methods for reporting natural resource and environmental law violations (Confidentiality protections for Hotline TIP's reported by e-mail and text messages)
2013 Act 71 -	<b>Relating to:</b> Limiting restrictions that can be imposed by local governmental units on discharge of a bow and arrow or crossbow if the bow or crossbow is being used for hunting.
2013 Act 77 -	<b>Relating to:</b> Relaxing of regulations on sale of oleoresin of capsicum in containers sold in this state. This change allows sale of larger containers of such sprays, increased % OC and distance the container can discharge the material. These changes also now allow the sale of larger containers of bear deterrent sprays, which had been legal to possess by not sell in this state.
2013 Act 79 -	<b>Relating to:</b> searches by a law enforcement officer of a person on probation, parole, or extended supervision. The Act specifies that a law enforcement officer may require certain persons under field supervision to submit to a search of the person, the person's residence, or of any property under the person's control, if the officer reasonably suspects that the person is committing, is about to commit, or has committed a crime or a violation of a condition of the field supervision. The persons that a law enforcement officer may require to submit to a search is limited to persons under field supervision for a felony conviction and persons placed on probation for any violation of chs. 940, 948, and 961, Stats. (These chapters concern crimes against life and bodily security, crimes against children, and the Uniform Controlled Substances Act.) Under the Act, a search conducted under this authority must be conducted in a reasonable manner, and cannot be arbitrary, capricious, or harassing. The Act also provides that a law enforcement officer who has conducted such a search must notify DOC as soon as practicable after the search.
2013 Act 81 -	<b>Relating to:</b> limiting public access to managed forest land that is located in a proposed mining site, which otherwise are required to be open to public hunting, fishing, etc.
2013 Act 83 -	<b>Relating to:</b> - clarification to intoxicated operation (motor vehicles, ATV's, UTV's, boats, and snowmobiles) definitions by including the term "hazardous inhalant" in the definition of "intoxicant".
2013 Act 85 -	<p><b>Relating to:</b> the transportation in this state of game taken in another state or on Indian land.</p> <p>This Act expands the statute relating to the transport of game from another state so that it applies as well to game taken in this state by a tribal member on Indian lands. The Act creates a tagging requirement that applies to both game taken in another state and game taken on Indian land. Specifically, if the game is a species for which the DNR has a tagging requirement, (deer, bear, turkey, elk, wolf, bobcat, fisher, otter, sturgeon) the following apply:</p>

	<p>The game must bear a tag issued by the other state or the tribe, or by the DNR, identifying the department or tribe that issued the tag. To be valid, the department or tribe that issued the tag must have recorded the name and address of the person to whom the tag was issued.</p> <p>The tag may not be removed until the time of butchering or, in the case of a fur-bearing animal, until the time the carcass is prepared for preservation, mounting, or tanning.</p>
2013 Act 95 -	<b>Relating to:</b> authorizing white flashing lights on LE vehicles, in addition to red & blue lights.
2013 Act 142 -	<b>Relating to:</b> snowmobile registration, trail use sticker requirements, and funding for supplemental snowmobile trail aids. (Cap-Step program)
<b>Bills passed both houses as of 4-1-14 and will be sent to the Governor for approval.</b>	
AB 670/SB 514 -	<b>Relating to:</b> the registration of antique snowmobiles 35 years or older (Now 1966). - Passed by Assembly and pending in Senate. Passed both houses and sent to the Governor 4-1-14.
AB 730/AB 591 -	<b>Relating to:</b> authorizing the state legislature to introduce bills to repeal or modify State Administrative rules promulgated by State Agencies without the ordinary rule-making procedures under current law applying. Instead, the Legislative Reference Bureau must publish the repeal or modification, in the code and the register, and the repeal or modification, subject to certain exceptions, takes effect on the first day of the first month beginning after publication. Also under this new legislative authority, the bill amended DNR rules to exempt users of state trails from these nighttime closing hours, but allows DNR discretion to close a state trail or portion of a state trail at night by posting notice of closing hours. This bill also amended DNR rules to add an exception allowing trappers to enter state park lands no earlier than one hour prior to the opening of trapping hours on the land, and if there are no established hunting hours on the land, the bill amends DNR rules to allow hunters to enter no earlier than one hour prior to sunrise. Passed both houses and sent to the Governor 4-1-14.
AB 743 -	<b>Relating to:</b> Authorization for ATV's & UTV's to cross obstructions using state highway bridges Current law prohibits a person operating an ATV or UTV from crossing a bridge on a roadway that is officially closed to ATV or UTV traffic. This bill allows a person to operate an ATV or UTV on the roadway or shoulder of a highway for the purpose of crossing a bridge even if the roadway is officially closed to ATV or UTV traffic if the bridge is within the territorial boundaries of a county that has enacted an ordinance allowing the operation of an ATV or UTV on that roadway and shoulder for the purpose of crossing the bridge and within the territorial boundaries of a city, village, or town that has enacted a similar ordinance applicable to that bridge. Passed both houses and sent to the Governor 4-1-14.
SB 160 -	<b>Relating to:</b> Additional training standards for all LE officers regarding domestic abuse incidents and complaints, and LE reports following an incident. Passed both houses and sent to the Governor 4-1-14.
SB 196 -	<b>Relating to:</b> restricting the use of drones for LE purposes of collecting evidence without a warrant in any areas where a person has a reasonable expectation of privacy (curtilage). Passed both houses and sent to the Governor 4-1-14.
SB 373 -	<b>Relating to:</b> Increasing the states minimum standards for LE officers' preparatory training from 520 hours to 600 hours and creation of a statewide handgun qualification proficiency standard for preparatory LE academies and recertification training for active officers. Passed by both houses. Passed both houses 4-1-14 and will be sent to the

	Governor for approval.
SB 482 -	<b>Relating to:</b> Snowmobile Safety Course Field Training Requirement. This bill prohibits a snowmobile safety program instructor conducting a snowmobile safety program as part of the DNR's established program from allowing a person taking the program to operate a snowmobile as part of a field training exercise unless the snowmobile is in good working order and is equipped with a device that limits the speed of the snowmobile to 15 miles per hour. Passed both houses 4-1-14 and will be sent to the Governor for approval.
<b>Bill that was passed by Assembly, but not taken up for a vote by the senate.</b>	
AB 497/SB 380 -	<b>Related to:</b> higher wild animal protection surcharge for trophy deer. Passed by Assembly but not taken up for a vote by the Senate before session ended.

### **Significant Court Cases:**

Tribal Night Hunting for Deer –The Chippewa tribes had declared their intent to hunt deer at night beginning in Nov. 2012, contrary to state law and the previous court action that began in 1974 on tribal treaty rights. On Monday, Dec 17, 2012, Federal Judge Barbara Crabb affirmed the state could enforce state deer shining laws against tribal members who engaged in this activity. Consequently, there was no tribal night hunting of deer during the winter of 2012-13. A Federal Court Trial was held in July 2013, after which the court reaffirmed that tribal members could not hunt deer at night. In March, 2014, the Tribes filed an appeal.

### **Cost Savings Initiatives**

Phone Consolidation – Over the last year, WI has worked to consolidate are phone expenditures where possible. In the past, many wardens had 3 Department provided phone lines: office, home, and cell. We have made strides to have many of our field staff shifted to a single phone (cell). Although we still require many of our supervisory or administrative staff to have an office phone, many of those has reduced out their home phone costs as well. Fifty-four of our wardens have switched to using only the Department issued cellular phone instead of having both an office phone and a cell phone.

Fleet Fuel Economy – WI continues to work on improving our fuel economy by switching many of older vehicles out for new Ford F150 Ecoboost pickups. Early results are showing these new trucks getting 16-19 MPG (even in winter), compared to older trucks which got at the best times about 13 MPG. WI is also exploring a couple of sedans now for management or administrative staff due to the better mileage and reduced initial purchase price.

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

New Rifles – The Warden Service recently traded in all Springfield Socom .308 Semi-Automatic Rifles for Windham Arms AR-15 .223 Semi-Automatic Rifles designed to better meet officer and public safety requirements. All wardens received the rifles and training during the annual recertification training early in 2014. In addition, new rifles were also purchased for the Parks and Forestry law enforcement staff in the state.

Commercial & Wholesale Fish Investigative Warden – A long vacant Commercial & Wholesale Fish Investigative position was recently filled. The position serves as the lead on compliance efforts aimed at commercial fishers & wholesale fish dealers who conduct business in Wisconsin.

Records Management System – The Bureau of Law Enforcement together with other law enforcement programs within the agency is taking steps to acquire a Records Management System (RMS) designed to enhance operational efficiency and effectiveness both internally and externally.

Taser Acquisition – After a successful pilot, the Bureau of Law Enforcement will be using a phased in approach to equip all wardens with Tasers. Due to funding issues, it will take several years to accomplish this goal.

Radio Communications – WDNR continues to address issues with radio interoperability and communication with respective LE agencies.

External Ballistic Vests- The warden service has recently approved and is now allowing an external vest option for its employees. This is an option which will allow for an alternative to the concealed vest. The warden service has also gone to a “mandatory wear” policy statewide.

Regional Internet Investigators – The warden service has put together a team to address violations that are found through complaints and other investigations involving social media and on-line sources. Warden staff continue to see an increase in workload with response to this venue.

Strategic Plan- The bureau of law enforcement recently released its 2014-2017 strategic plan.

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