

PANEL: "THE ROLE OF ENFORCEMENT IN MODERN FISH AND WILDLIFE MANAGEMENT"

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Wildlife law enforcement is a function of wildlife management and is not, or should not be considered, a means unto itself. It is just as integral a part of the primary objectives of a wildlife management agency as is a municipal police department in a town or city. The comparison may be extreme, but I doubt if city fathers are usually willing to establish rules and regulations for the conduct of their inhabitants and then rely on an agency not under their direct control to enforce those rules and regulations. The same is true on the part of wildlife management agencies.

By design, and traditionally, the wildlife agency and its governing board are responsible for at least the recommendations of the rules that the hunting and fishing public play by. In most instances, the final authority for the rules rests with the agency's governing commission or board. Even in those few instances when a law-making body such as a legislature reserves the rule-making function unto themselves, it is incumbent upon the management agency to provide the necessary basic data in the form of recommendations which will be the basis for law. I believe that the most efficient method of umpiring our game or enforcing those rules and regulations, once established, can be obtained by containing the enforcement function within the management agency.

In our business, the best, most efficient and long-lasting impression the hunting and fishing public obtains of us is a contact by a Department employee who has the authority to enforce rules and regulations applying to the public's activity in fishing or hunting at the time the contact is made.

Perhaps some of you won't buy that statement and have in the backs of your minds programs in your I. and E. effort, such as the annual report, periodic publications for popular consumption, news releases, firearms safety programs, and television programs. All of these are good programs for your management effort, and most are needed and necessary. But how often do you hear your clients complaining about the lack of any of the above, and clamoring for more news releases, more television programs, more multicolor periodicals? I'll wager they are few and far between compared to the requests, demands, and complaints that have as their basis a lack of law enforcement.

I realize that this expression is most often the result of that great American tradition of not squealing on your friends, and I deplore it because self-policing could be an extremely efficient way to obtain compliance with the law. But the fact remains that people have an aversion to "getting involved" by providing evidence or testifying to a wildlife law violation. And it's equally obvious that they expect something to be done about such violations.

Whether we are doing a good job is beside the point. The point is that someone has to provide the service. Should it be provided within the agency responsible for the rules, or from without? I say from within. It is not reasonable to expect the best representation for your objectives and programs in a personal contact situation if the officer is not a part of your agency. How can a State trooper or a sheriff's deputy explain the rationale of a particular rule to a hunter or fisherman? He may be able to do so if there has been special attention given to his training and familiarization by the wildlife agency and for the agency's main objective. This, though, requires an investment of time and money from the agency, which is best protected by retaining the function within its own organizational structure.

We need mission-oriented people to do our job. Separate, contractual or legislative arrangements with a law enforcement agency outside the wildlife agency will make it difficult, if not impossible, to attain that orientation which will enable an officer to understand, much less explain, the philosophies, data, and reasoning behind the rules and regulations of hunting and fishing.

Separate agency enforcement will tend to further the career field of law enforcement per se. I have no quarrel with that; however, I believe that wildlife law enforcement is properly associated with the wildlife management profession.

The Wildlife Society evidently feels this way also, as evidenced by the Subcommittee on Law Enforcement Within the Society Expansion Committee. In my tenure on the Council the problem of few wildlife law enforcement personnel being members of the Society was discussed several times. The Council's concern was expressed in attempting to find ways to draw them further into the Society - not to find ways to keep them out.

If you accept the premise that wildlife law enforcement should be done within the structure of the wildlife management agency, then how do you best accomplish the function organizationally? I would venture to say the relative merits of a generalist (wildlife manager, conservation officer) as compared to a specialist have been fought over in every game and fish department across the country. There should be no black and white answer. Each agency will have to make its own determination as to the best system, and the interplay of intradepartmental politics will undoubtedly be felt when arriving at an answer. The cost effectiveness of any departmental organization scheme is largely dependent upon the morale and acceptance of the organizational functions by the people who are or will be in the various jobs. In other words, the way the troops feel about it will largely determine the success of the scheme. Has it ever been different?

We have adopted both schemes in Arizona. A regional field force of district wildlife managers is augmented by law enforcement specialists who are in the law enforcement division. Their assignment is wholly devoted to wildlife enforcement in two areas: to act as a flying squad which can field additional enforcement in any area of the State on a special assignment basis, and to act as specialized investigators in certain selected individual enforcement situations. For example, a district wildlife manager may uncover the beginnings of an investigation of market hunting from a case of illegal deer hunting in his own district. The responsibility for continuing the investigation, which may involve traveling to various parts of the State, checking and conferring with out-of-State authorities, etc., would devolve to a law enforcement specialist in our situation. Conversely, a request may come from a regional supervisor for more patrol assistance on the Colorado River during a high use period such as Easter weekend. Here the division specialist would be detailed to the region for a designated period, with immediate supervision coming from the regional supervisor.

In a wildlife agency with Statewide responsibilities, district or field assignment and a decentralized operation are mandatory. The concept of generalists occupying a district field assignment encompassing the operational aspects of enforcement, game management and fisheries management came about in Arizona because of the overlapping area coverage of the old game ranger-district biologist organization. Each man in an area was assigned a different function of enforcement, management, etc. This led to double or triple area coverage on a man-day comparison, and, more importantly, led to serious schisms in management program understanding. In-house argument which spilled over into public view was inevitable, and was damaging to the Department. I'm sure this is one basic reason for the change to a district wildlife manager program in most of the States which have adopted this form of organization.

In any system there are advantages versus disadvantages. No one system is perfect, and equal adaptability to all situations cannot be expected. Some of the advantages of the generalist concept are: the operational functions of the department are assigned to one individual in a clearly identified geographical area. There are no continual overlaps in area coverage. When there is an overlap, the district man knows about it, and often may have requested it. The incumbent knows the department program and his responsibility to it within that area. Supervision can be decentralized from a main office on a regional

basis. It is easier to have the qualifications for a district job upgraded because of the multiple responsibilities which require experience or training in the life sciences. A field force of experienced generalists, familiar with programs and objectives, provides a well qualified recruitment base for staff specialist jobs. This assists in furthering career progression within the agency, and tends to reduce personnel turnover.

One of the disadvantages is that colleges and universities supplying graduates to our profession have difficulty in gearing a curriculum which will turn out an individual with education in law enforcement as well as botany, ecology, game and fish management, ornithology and zoology. Basic courses in enforcement science, sociology and psychology are often lacking or not on the list of required subjects. Often we have found that the student has not been given a clear picture of the enforcement responsibility in a wildlife manager job when he, as a graduate, is being interviewed for a position. This deficit has to be overcome by the agency through in-service training and guidance, specifically for law enforcement, before district assignment can be made.

Colorado State University has recently started a program for their undergraduates which includes training in enforcement, which utilizes a placement service for location of undergraduates or for students upon graduation. The idea is to partially overcome the lack of experience before the graduate seeks full time employment. The idea is a good one, but can work only if wildlife agencies include enforcement oriented projects in their planning to accommodate students wishing this type of experience.

Another disadvantage of the generalist concept is that the staff loses some direct control of their individual program responsibility. This places a greater coordination load on the staff, and often stretches the communications link between the staff and the regions painfully thin. Efficiency of the field program is often affected as a result. The scheduling of time available becomes more necessary and difficult because of the time demands placed on the district men by the different operational elements of the department. It affects law enforcement at the district level in two ways. The jobs involved in game and fish management are more easily quantifiable than law enforcement, and are therefore more easily scheduled and defended. Jim McCormick has ably commented on this problem of administering law enforcement in his presentation to the 1969 assembly of the International Association of Game, Fish and Conservation Commissioners in New Orleans. His discussion of the evaluation needs confronting enforcement administrators, and California's approach in solving the problem represent a solid step forward in placing law enforcement on a measurable plane so that rational program decisions can be reached. Without such a tool, enforcement will continue to be a wisp in program evaluation and other jobs will eat into this enforcement time allocation. Even with an allocation of time, law enforcement tends to be loosely scheduled. The word "patrol" on a diary page can mean any number of things, some of which may be very tenuously connected to wildlife law enforcement. Thus enforcement activities tend to become an escape hatch from the better defined time-consuming jobs of pellet group counts, report writing, creel checks, gill netting, deer and browse surveys, and the like. It will probably stay that way until scheduling and supervision improve. This, though, holds true whether the enforcement activity is carried out by a generalist or a specialist - people being what they are. The potential to get more efficiency in law enforcement from a multipurpose man is there, but it can be obtained only through the hardheaded use of an analysis tool such as McCormick has suggested.

In summary, I believe that wildlife law enforcement is a tool of wildlife management, and as such is properly a function of the agency. The multipurpose man on a district assignment, coupled with law enforcement specialist capability is a better arrangement than only pure law enforcement positions if there is decentralized administration of the wildlife program. Law enforcement activities can be better scheduled and more efficient in obtaining compliance with the laws only if it is evaluated on a time-result basis such as California is using, and this is needed regardless of organization structure.