

The facets of Wisconsin's warden force.

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The Facets of Wisconsin's Warden Force



Wisconsin wardens — the challenge of change

Ralph Christensen
Chief Warden

DNR's lead enforcement officer tells why "change" is the warden's biggest challenge and opportunity.

The "game" warden story in Wisconsin began more than a century ago when two "fish" wardens were appointed in northern Wisconsin. The history of those early years has been largely lost or obscured, but we know their work was often lonely and dangerous.

They aimed to stop serious commercial violators, who operated under the premise that resources had been placed in Wisconsin solely for their use and exploitation. For many years, wardens struggled intensely against the wits of those violators and against an often indifferent public and legislature.

Through the years, we have come far — from a time when wardens were the sole resource managers, through a long period of growth and development for fish and game management who held a philosophy that managers could control and manipulate habitat to produce ever larger harvestable surpluses, to the present. More than ever before, we realize the limits and vulnerability of our natural resources and man's capacity to adversely affect them.

This realization has placed renewed emphasis on the value of and need for our warden force. It also focuses on a special quality our officers need — an ability to adapt, manage and serve as a catalyst for change. Our work now is as dangerous as ever, but our challenge is change.

Nowhere else can we find such a mind boggling array of job responsibilities and changing, growing regulatory frameworks — not simply in the traditional fish and game areas, but also in a quiet realization that water, soil and air are an ever more important part of the warden guardianship.

With advances, declines and increasing public support, today's warden force numbers 175 men and women who possess the same intense commitment to their work and our resources as those who first used horses and trains to travel Wisconsin to get their job done.

Indeed, our hiring process itself is a test of our modern commitment. In an average year, 10 new wardens are selected from 1,000 applicants after making the cut on a written exam, oral interview, background investigation, physical agility test, medical exam, psychological exam and another oral interview.

Since our 100th anniversary in 1979, I have seen nearly 50 percent of the warden field force retire. It has been difficult to say good-bye to each of those men, to recognize what 30 years or more of each individual's service has meant to the warden force and the citizens of this state.

At the same time, we've been given a wonderful opportunity to mix a large measure of youthful enthusiasm with our history and experience. Yes, we have lost some colorful, opinionated, dedicated enforcement pioneers, but we are replacing them with similarly dedicated individuals with the same strong sense of commitment to the public, to our resources and to the future.

Instead of pioneering conservation enforcement with aircraft, they are pioneering enforcement effectiveness through forensic techniques, undercover investigations and computer applications.

In the following pages, you will find articles showing how the warden force has grown — not in numbers of personnel, but in responsibilities and effectiveness. The size of the state

Legislation and new policies that significantly 1955-1987

1955	Basic fish and game conservation laws revisions	1974
1957	Enforcement on WCD property-executive order Humane care of wild animal laws Pesticide law enforcement authority	1975 1976 1977
1959	Boating enforcement authority Emergencies, disaster laws Wild ricing regulations	
1961	Handgun by minors law	
1963	Aquatic plants law	
1965	Archery license Co-police services Hunter education program Stream divergence Waterway marking	1980 1981 1982
1967	Civil disorder responsibility Police supervision on department lands Reorganization that formed the DNR	
1969	Endangered species law Minimum standards for law enforcement Snowmobile enforcement Snowmobile safety education program	1983
1971	Boating safety Federal boat laws	
1972	Additional endangered species added to lists Expanded snowmobile authority Law enforcement minimum recruitment and training standards Lake Michigan snagging rules	1984 1985 1986
1973	Environmental enforcement emphasized Fox closed season Waterfowl hunting point system	1987

and the breadth of the job are at once a dilemma and an opportunity for our officers. The warden's role is to deter violators; to encourage people to comply with many laws, rules and regulations; and to function as an enforcement officer. However, the warden's function goes well beyond simply perceiving violations and apprehending violators.

Widespread compliance with our many regulations is impossible without extensive public support. So, we test our applicants for human relations skills. We encourage and train our officers to achieve our goals by working to become more than just enforcers in their community assignments. We expect them to work diligently to encourage cooperation and phone calls on violations in progress, and we have established a violation hotline for citizens who wish to remain anonymous.

In the future, wardens overseeing juvenile recreational safety programs will be even more involved with adult hunter education programs. They will be available to civic organizations and clubs. They will work with all available media to spread the word on regulations and program success. I believe our effectiveness as communicators is a key factor in our work success.

Conservation law enforcement can be hard, lonely, dangerous and just plain boring, but it can also be very rewarding and personally fulfilling. It is especially so when we receive cooperation and interest from a concerned public. By virtue of that concern and support, you can often hear our field wardens assert, "This is the best job in the world."

changed wardens duties

Slow-no-wake regulations

Local boating ordinance review

Decriminalized snowmobile laws

Increased emphasis commercial fishing

Boat toilet law

Cross bow permit/disabled persons

Ginseng laws

Indian religious hunting

Tree stand allowed for hunting

Trout stamp

Waterfowl stamp

Emphasis added-hazardous spills

Expanded hunter education

Registration of documented vessels

Warden expanded authority

Boathouse law

Solid and hazardous waste

management revisions

Trout and salmon stamp

Vehicles prohibited on navigable waters

Antlerless only deer hunting

Ceded land issue-Chippewa Indians

Expanded goose permit areas

Juvenile drinking violations

Turkey season

Group bagging rules

Increased commercial fishing rule revisions

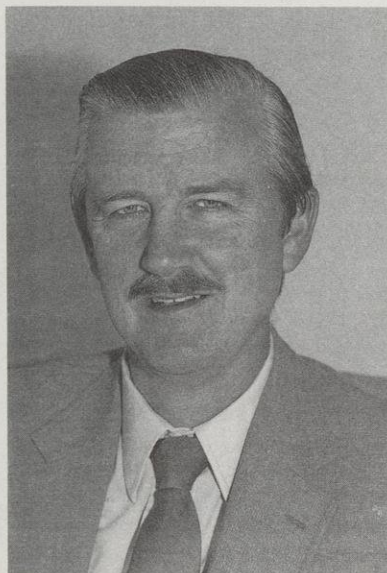
Clamming regulations

ATV enforcement authority

Boating implied consent laws

Disabled Hunter Advisory Counsel - in-
creased emphasis in permits

Steel shot enforcement statewide



Ralph Christensen, Chief Warden.

Photo by Bob Queen

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1-800-TIP-WDNR

Coordinated by Dave Kunelius

Front cover: Enforcement work is often a view through the windshield at outdoor life. The conservation warden's vehicle is his or her office on wheels. It is a constant communications link to other law enforcement agencies, plus it hauls the boat, snowmobile and other equipment of these outdoor officers. DNR photo.

THE CHANGING SCENE

New challenges for environmental wardens

Rollie Lee
Assistant Chief Warden

"In many areas of New Jersey, we are beyond the point of environmental protection. Administrative and court actions filed by various governmental agencies must attempt to clean up an already poisoned environment. Since World War II, modern technology has brought new jobs into New Jersey. Yet the same technology left us with unwanted by-products, dangerous synthetics, and everlasting pollution. One is treated to a veritable panorama of modern industry at its worst while traveling along the New Jersey Turnpike. The steel landscape of drums endlessly stacked side by side is punctuated by factories where cylindrical smoke stacks billow gray and brown clouds into the haze."

"In this regard, our state is no different from any other..."

Ed Neafsy, Deputy Attorney General, New Jersey
National Environmental Enforcement Journal
April 1987

Near paranoia exists along the eastern seaboard concerning pollution in general and toxics in particular. Quality of life is different in Wisconsin! The environmental conscience of Badger State citizens is high. Caution is warranted lest we fall prey to apathy. Wisconsin is next door neighbor to the nation's second largest region that generates hazardous waste. Vigilance is necessary to protect citizens and environment alike from unscrupulous disposal. Callous disregard by a few in-state firms also poses a need for enforcement and aggressive prosecution. Many case scenarios begin like this:

Seven abandoned barrels of unknown toxics are dumped along a country roadside in northwestern Wisconsin; anonymous callers tip wardens, leading to excavation of 220 buried barrels of hazardous wastes in northeastern Wisconsin; a phone complaint of a semitrailer leaking product is pursued by citizens in central Wisconsin; an anonymous employee tips the state that the firm is dumping PCBs . . .

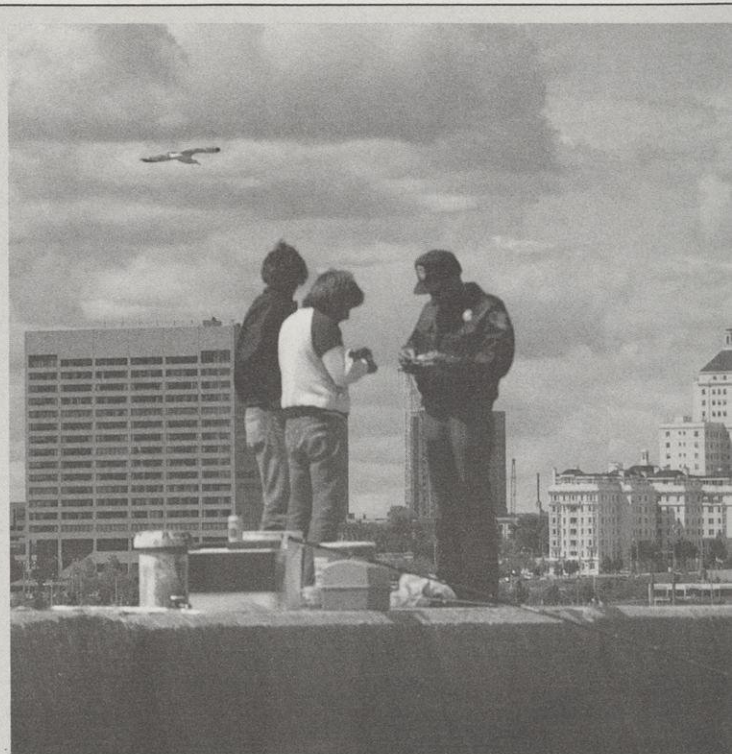
A recent case began when a citizen telephoned to report a spill to the warden. Initial investigation showed probable cause that a business was dumping chromium waste into storm sewers through floor drains. The wardens left, returning later with a search warrant. Investigation proved intentional dumping of this highly toxic, heavy metal. Corporate officers signed statements implicating corporate intent to thwart the law to benefit quarterly fiscal balance sheets. Through standard procedures, wardens referred this case to the attorney general's office. The company quickly settled by paying a hefty fine of \$100,000 plus estimated cleanup and repair costs of \$350,000.

In 1915, the Wisconsin Legislature enacted laws to protect citizens and the environment from the "spoilers." Statutory language prohibited persons and businesses from depositing into any Wisconsin waters lime, oil, tar, garbage, tanbark, ship ballast, slabs, decayed wood, sawdust, sawmill refuse, mill shavings or waste material of any kind, or any acids or chemi-

cals or waste arising from manufacture of any article of commerce, or any other substance deleterious to game or fish life. This law was enforced by the old conservation department, and Wisconsin's game wardens were in the environmental protection business. Initially, the law affected creameries, cheese factories, lumber mills, tanneries and shipping businesses. The game wardens of those days had to acquire new knowledge about these industries in order to enforce the new anti-pollution controls.

As science developed new procedures and products for processing raw materials, Wisconsin's industrial base expanded. Soon foundries, breweries, factories and canneries began to build in the state. They nearly always sprang up along the banks of our rivers and streams. The waste by-products of these businesses usually went directly into the water. The inherent conflict between economic development and environmental purity was recognized more than 75 years ago, and it is a much more important issue today.

Historically, environmental law enforcement was an occasional or part-time activity for the game warden. However, even diligent wardens fell further and further behind. Techno-



Whether in the country or along the Milwaukee lakeshore, wardens check fishing licenses and talk angling. Photo by Steve Weiss

logical advances in industrial fields increased the problems exponentially. New wastes were generated, and new laws were enacted to regulate their handling.

Finally, it became more than could be expected of a conservation warden to handle his traditional fish and game responsibilities and also grasp the wide range of industrial chemistry to competently investigate hazardous waste violations. Environmental engineers and technicians from the new Environmental Standards Division handled offenders with an administrative "orders" process or referred them to the state's attorney general, primarily for civil litigation. Although any of our wardens may become involved in these cases, two newly trained specialists have been appointed from the warden ranks to conduct environmental investigations into larger, more complex cases. (See story in our March/April 1987 issue.) Law enforcement officers add a new dimension to the fact-finding process.

A number of states have assigned environmental enforcement duties to their conservation officers. A cadre of 14 Michigan conservation officers is committed exclusively to handling complex criminal investigations. In New York, up to 50 percent of the warden's time is spent on environmental enforce-

ment. Additionally, in 1982, that state formed a special unit of 36 officers to investigate complex hazardous wastes violations. Nationwide, states appear to be on the threshold of a trend to have "game wardens" enforce complex environmental laws. Thus far in Wisconsin, two wardens assigned exclusively to environmental cases annually investigate one-tenth of one percent of all businesses and government entities holding DNR permits in the southern one-third of the state. Expansion in this enforcement endeavor is on the horizon — especially so when no one knows the number of "unpermitted" regulated concerns that might exist.

Falsified reporting, altered documents, hazardous chemicals mixed in heating oil, illegally buried toxics, "midnight dumpers," and scores of other scams are a blight on the environment and against the health and welfare of society. Today, when a trained technician from the department's Hazardous Waste Section and an environmental investigator from the warden force team up to look into a complaint of unlawful and hazardous dumping, there is a strong likelihood that the offenders will be located, prosecuted and made to clean up the potentially lethal mess left behind.

Conservation law enforcement — metropolitan style

Doug Hoskins
Southeast District Warden

Wardens watch wildlife in our cities too.

(phone rings) "Department of Natural Resources, may I help you?" "Yes. I'd like to report 13 dead spoonbill paddlefish I came across while walking my dog. The largest is more than 50 pounds."

(phone rings) "Department of Natural Resources, may I help you?" "I just looked out my back window and saw a huge black bear run through my yard and knock my laundry off the line. Please help!"

(phone rings) "Department of Natural Resources, may I help you?" "I would like to report a person who caught 105 trout in a single day."

This particular DNR office also received reports of a dead bear cub in a park, someone setting illegal snares to catch deer, a deer that crashed through the glass doors of a grade school and an

individual intentionally running over a deer with a snowmobile!

Are these all calls for a local conservation warden? Certainly! Were these calls received at some remote DNR ranger station in northern Wisconsin? No. They were all *actual calls* received by the DNR office in downtown Milwaukee, and all were about situations in Milwaukee County!

I have often been asked, "What does a game warden do in Milwaukee County or any highly urbanized county for that matter?" My answer? *Plenty!* In fact, surveys show that warden stations in Wisconsin's three most populous counties — Waukesha, Dane and Milwaukee — are the busiest in the state as far as conservation law enforcement activities.

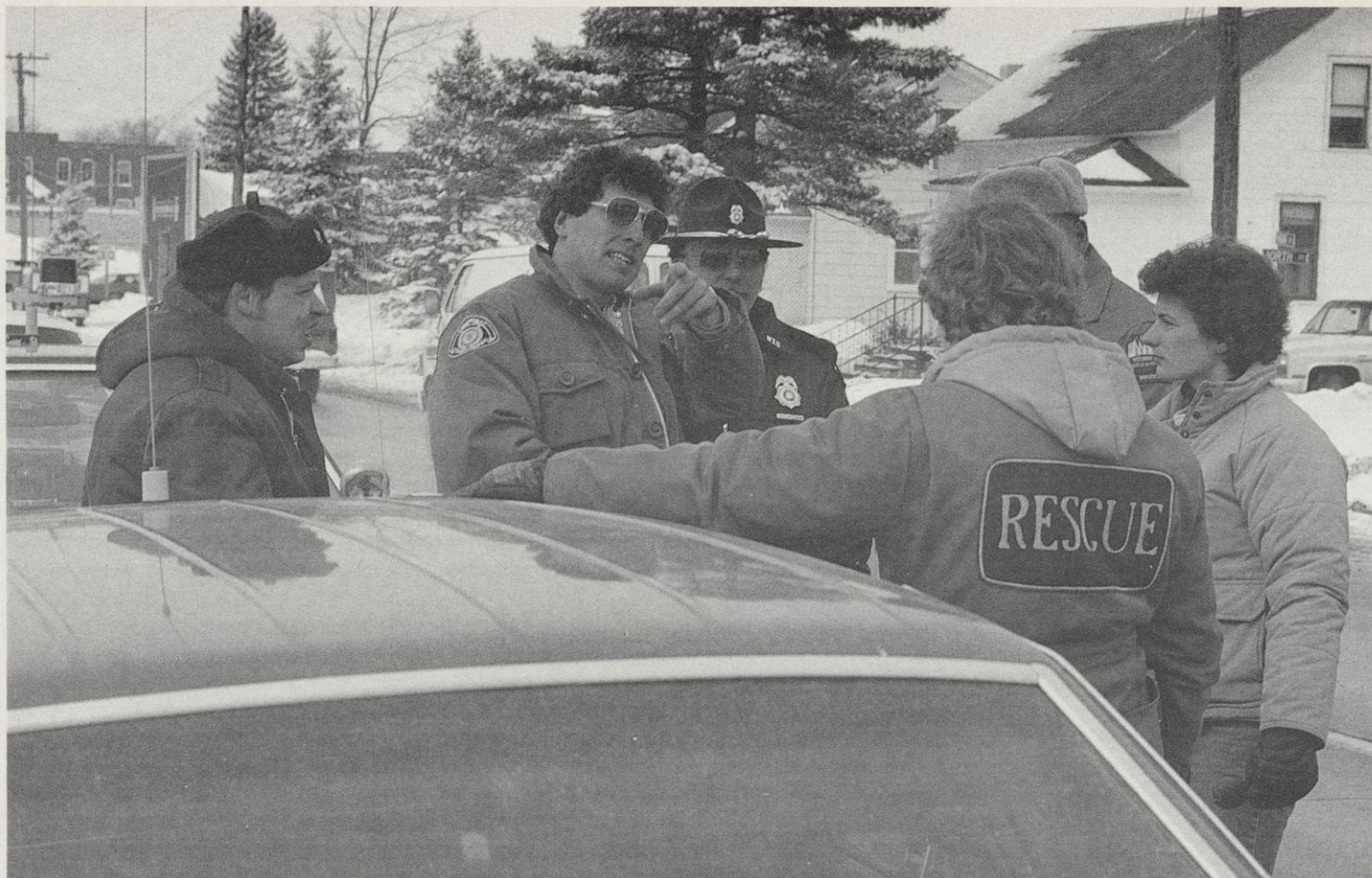
In addition to monitoring traditional hunting, fishing and boating activities (a brisk business in all urban Wisconsin counties), the metro wardens are heavily involved in water and air pollution, oil

spills, assisting at accident scenes and enforcing peace-keeping provisions.

In heavily populated areas, a large amount of a conservation warden's time is spent at public appearances for service clubs, sportsmen's clubs, schools and recreational safety classes.

The number of incoming calls and complaints is high, making routine patrol time very limited. Wardens located in large cities must have all the training and instincts of a field game warden while thinking like an urban police officer. This is due to the high probability that a game law violator may also be a burglar, a robber, a rapist, a drug pusher or a drug user.

Yes, the duties of conservation wardens in all of the cities around the state are interesting and challenging. Next time someone asks, "What does a warden do in the big city anyway?" I hope, with this new perspective, your answer will be "plenty!"



Wardens work with a lot of enforcement agencies in the course of duty. At a chemical spill in Auburndale, north central Wood County, a DNR warden works with a Wood County Sheriff's officer, a Wisconsin State Patrol officer, local county rescue personnel and a DNR hazardous waste specialist. Photo by Dave Kunelius

Pesticide enforcement

Since 1972, through cooperative agreement with the Department of Agriculture, conservation wardens and agriculture inspectors have shared responsibilities for overseeing pesticide application, storage and disposal laws. Today, when an applicator is observed backing equipment into a trout stream to take on water and mix pesticides, and then over sprays Aunt Molly's garden, it might be the warden or inspector who investigates. Common infractions of the pesticide law include: killing wild animals through negligent use of pesticides, releasing pesticides in public waters of the state, disposing or storing pesticides in containers contrary to label instructions, over spraying or carelessly causing pesticide drift on another's property, improperly disposing of certain carcasses killed by using pesticides, and improperly applying pesticides in a manner which is hazardous to humans and nontarget animals.

Petroleum and hazardous substance spills

Reported product spills — liquid, solid, gaseous — on land, water, air, or groundwater, have increased steadily.

Thirty-two percent of the spills occur when petroleum and chemical products are being transported. Traffic officers and fire fighters are often the first responders. Wardens investigate and ensure the spiller fulfills state requirements for cleanup and disposal. In some instances, wardens hire contractors to contain or clean up the product, and the spiller or owner is billed later. In five percent of the cases, we can't immediately determine who is responsible for the spill. These cases must be investigated to determine culpable parties and recover state tax dol-

lars expended on cleanup activities. Wardens are not experts in containment or disposal but know who the experts are and how the spiller can contact them.

Protecting navigable waters

Traders and trappers traversing Wisconsin waterways by canoe are part of our nostalgic heritage.

These transportation routes became protected as early as 1787 at the signing of the Northwest Ordinance. The Wisconsin Constitution preserved navigable waters for public use in language stating, "... the river Mississippi and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free . . ."

Taking too many trout or keeping an undersized musky from a northern lake may raise the ire of sportsmen, but few fish and game violations are as disastrous as waterway destruction. The aesthetics of dredged, channeled streams or lake beds are an eyesore on the landscape and much more because the environmental consequences of resculpting waterways can cause serious concerns. "Straightened" channels allow floodwaters to rapidly flush downstream, scouring loose rocks and suspending sediments that can smother fish spawning areas.

The legislature has enacted stringent laws to protect public rights to use public waters. The DNR regulates waterway alterations and issues permits for many proposed activities. For the same reason, conservation wardens vigorously investigate unauthorized alterations and water diversions. These investigations are referred to district attorneys or the attorney general for prosecution. Guilty parties may be fined and required to absorb the cost of restoring environmental quality.

THE CHANGING EMPLOYEE

Hiring and training warden recruits

Larry Miller
Training Officer
Bureau of Law Enforcement

Selecting staff with the right mix of communications skills, physical endurance, and judgment is key to building today's warden force.

Every year Wisconsin seeks men and women knowledgeable in resource management to become conservation wardens.

Wardens must know the habits, habitat and environmental preferences of game and fish common in Wisconsin. They must also know and understand how to use various firearms, traps, archery equipment and fishing tackle used in taking animals legally or illegally. Candidates must be familiar with the attitudes of the outdoor sporting public, search and rescue procedures, public and human relations concepts, and map reading techniques. And yes, there are other requirements: safely operating and maintaining firearms, boats, vehicles, snowmobiles and sporting equipment; recognizing environmental damage and waterway and shoreline alterations; observation and memory skills; reading comprehension skills; working well with people; and communicating well both orally and in writing.

Recruits must meet additional stipulations. They must be at least 18 years old with no unpardoned felony convictions. They must have a high school diploma/GED, show good character and meet physical/medical requirements. In addition, they must hold a valid Wisconsin driver's license at time of hire, meet vision and hearing requirements, and pass a physical agility test. There is drug testing and psychological screening.

Have you taken an aptitude test? Studies have shown that successful conservation officers have scored high in the following categories: law/politics, military activities, technical supervision, nature, agriculture and adventure.



Wardens must learn laws and develop communication skills. Here, wardens take part in waterfowl training developed by Southern District warden Tom Harelson. The session is for experienced wardens who have high waterfowl hunting pressure or activity in their areas. Photo by Stan Schneider



Part of the warden's education is learning the tools of outdoor trades and activities. Wardens inspect various types of traps and hide-stretchers. DNR photo

Many have previous experience in military service, forestry and agriculture. If this sounds like you, consider becoming a conservation warden.

The first step is taking a civil service examination. Then, top candidates are scheduled for an oral interview and fitness testing. The most successful candidates are further screened: background investigations, medical examinations, psychological profiles and a hiring interview. Drug testing will be required.

A college degree is not required at this time. However, the overwhelming majority of recruits hired do have degrees. To prepare for the profession, consider concentrating on biological sciences or law enforcement in your college course work.

Conservation wardens are sworn officers of the state and are required by statute to meet minimum training standards required by the Law Enforcement Standards Board. During a 12-month probationary period, recruits receive 400 hours of basic law enforcement training and 320 hours of formal department training.

Recruit wardens will also train on the job with field wardens throughout the state to gain additional knowledge about Wisconsin's geography and natural habitat, and to put their classroom training into practice. Training includes human relations, firearm operations, self-defense, vehicle operations, legal updates on law changes and investigation procedures.

Permanent work assignments are made after probation and training are completed. Conservation wardens work independently within their assigned territories, but also are part of a team on a regional and statewide basis. The wardens typically work a minimum of 40 hours per week, but must also be available for phone calls and emergency response 24 hours a day, seven days a week. Wardens are expected to work extra hours during seasonal peaks. Individuals, if hired, can expect to work alone, in all kinds of weather, and on many holidays and weekends.

Candidates for the recruit warden position should have positive attitudes, leadership qualities and abilities to learn rapidly. They must be conversant with all segments of their community because of the diverse aspects of the warden profession. And recruits must demonstrate their initiative and ability to be self-start-



A warden checks a duck's body temperature to determine when it was shot. The techniques and skills to investigate outdoor activities require training wardens in forensics. Photo by Stan Schneider

ers. Officers must be able to get along well with people and be good communicators. They often must make reasonable, quick decisions under stressful conditions.

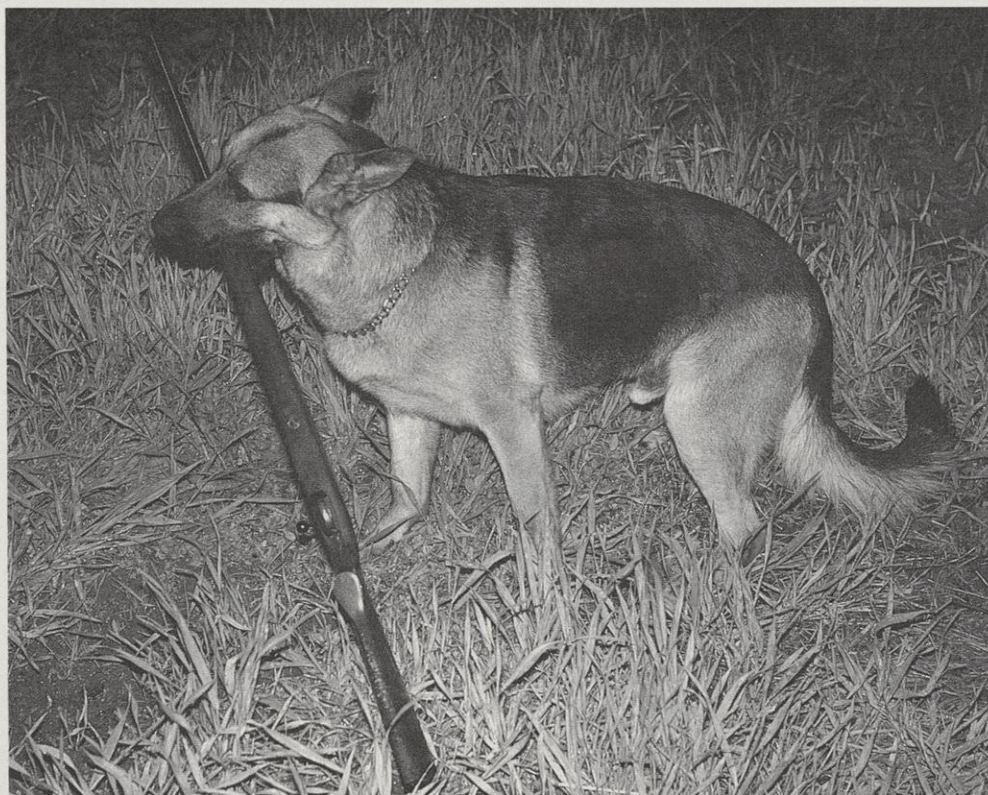
The recruitment process is designed to identify the best available candidates with the greatest potential to succeed. That's costly to the state, in both staff and dollars. Nevertheless, this careful screening process has cut recruit losses during probation from about 30 percent prior to 1981 to 10 percent today. Thus, the costs of a thorough selection process are being repaid.

Continuing education for conservation wardens

Larry Miller
Training Officer
Bureau of Law Enforcement

For years, wardens have used their dogs to help them with resource enforcement work. The dogs are useful in sniffing out everything from illegal fish and game to firearms thrown from vehicles by poachers during a chase.

Photo by Karen Goerlinger



There are always more skills to learn and hone.

Training is a commitment to warden excellence. It's a major component of the department's efforts to better serve the public and protect natural resources. Continued training throughout each officer's career builds on recruit training to develop and update knowledge and skills.

Specialized schools, like recently completed waterfowl and fur workshops, can emphasize new enforcement areas. Others, like a recent course titled, "Presentation Skills," builds communication skills.

Wardens receive continual training in several broad areas.

First, wardens must demonstrate competency in using equipment and having the physical stamina to do their job. Examples include using firearms, vehicles, self-defense and administering first aid. In some cases, wardens need training to use specialized equipment like night scopes, sonar, aircraft, cameras, scuba gear and metal detectors.

Second, wardens learn new laws, rules and procedures such as recent restrictions in collecting clams, overseeing a wild turkey harvest and protecting endangered species. Recent court decisions are reviewed at least annually.

Third, wardens must hone skills for dealing with people by taking courses such as public relation concepts, techniques for dealing with people and judging enforcement priorities. All new supervisors and field officers can get supervisory training, too, through UW-Extension, vocational education districts and the Department of Employment Relations. Basic management courses include planning, evaluations, motivation, administration and supervision.

Technical training is a big part of any in-service program. For Wisconsin wardens, this includes learning how to investigate hazardous materials cases, getting briefings on new drug

laws, interpreting various water regulations and zoning rules, interviewing and interrogating people, learning techniques violators use, dealing with pesticides and developing outdoor survival skills.

Like all law enforcement officers, wardens receive technical training in forensics. They learn to use a number of procedures and test kits. Wardens become experts in determining time of death of wildlife species collected as part of a case. Time of death and drug testing kits are available upon request when the need arises.

All officers receive kits to collect evidence and instructions for packaging, preserving and submitting evidence to forensics labs. Primarily, evidence goes to the Wisconsin State Crime Lab, Agriculture Lab, and the State Lab of Hygiene. Occasionally, the National Wildlife Health Lab, the University of Wisconsin, the US Fish and Wildlife Service and other labs perform specialized analyses.

Wardens need labs to determine: water quality, pesticide and poison contamination, species identity, cause of death in wildlife, sex of individual animal specimens, firearm ballistics, fracture matches for items like broken bones or metal knife blade chips, handwriting comparisons, document analyses, drugs, serial numbers on weapons where I.D. markings were obscured or removed, animal pelt aging, and numerous other analyses.

Wardens have used their hunting dogs and household pets for years to assist them in their resource enforcement work. These canines have found everything from hidden ducks in a marsh to illegal fish thrown from vehicles. Recent canine tracking has gotten more sophisticated to search for lost people, track suspected violators, and locate drugs and illegal game evidence.

The title, "jack-of-all-trades and a master of none," no longer fits the conservation warden definition. A warden is a "jack-of-all-trades," but also a master of many.

THE CHANGING HUNT

Streamlining Wisconsin waterfowl enforcement

Thomas L. Harelson
Southern District Warden

Danger signals seem to be coming through from the "duck factories" of Canada.

Five years of drought coupled with continued high harvest have reduced fall duck flights to all-time lows.

Continental North American duck populations in the 1940s were estimated to be as high as 150 million. By the 1960s, the continental population had declined to around 90 million. While populations increased in the 1970s, by the early 1980s they again dropped to around 80 million. The estimated 1985 fall flight was 62 million ducks — an all-time low. Populations declined by 22 percent from 1984 to 1985, and that's scary. Habitat conditions and water levels for nesting weren't much better in 1986 — the fall flight index rose only slightly to the second lowest fall flight on record.

If sport hunting is not properly regulated, excessive kill could significantly lower overall duck numbers. Ducks are vulnerable to illegal hunting methods and closely monitoring duck harvests has always been a priority for Wisconsin wardens. As duck populations have declined, wardens have worked harder on violations that directly affect the resource.

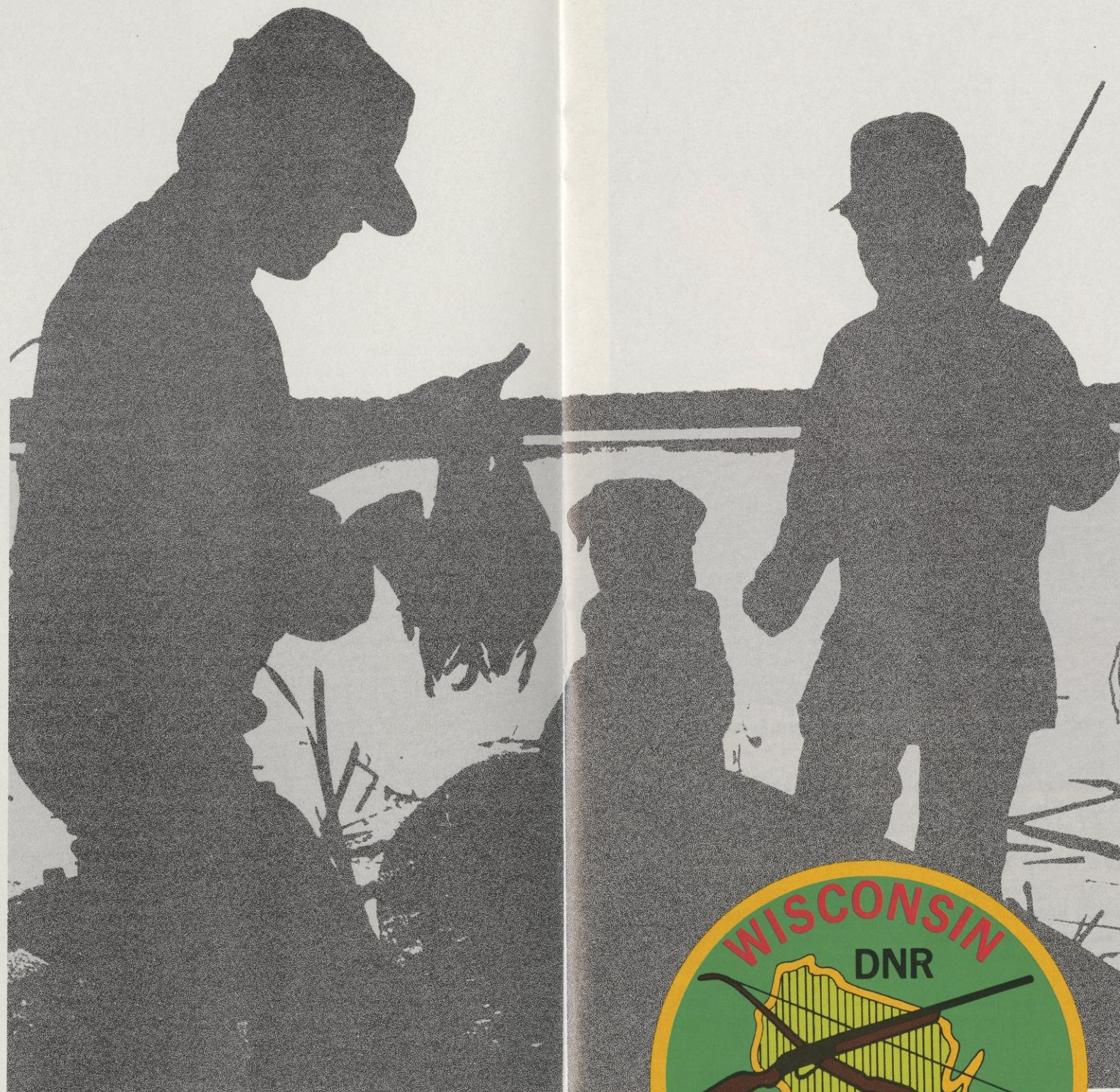
Since 1982, wardens have started three new approaches to increase effectiveness. They are already producing dramatic results.

The first approach was to rank violations. Those that cut into duck populations, like overbagging limits or using illegal harvest methods, are our most important enforcement cases. Traditional problems, such as unplugged shotguns (which hold more than three shells), improperly spacing hunting blinds in special management zones, or shooting from moving motorboats, are lower priority. All rules are important to enforce, but by concentrating on the priority problems, wardens have a greater chance of protecting dwindling numbers of ducks.

The second approach included training extensively in waterfowl enforcement technique. No such top-notch training programs existed. So, the most knowledgeable duck enforcement wardens in the state were brought together to develop a 30-hour training program. About half our field wardens have completed the training so far. By special request, the course has also been offered to wardens from Minnesota, Illinois and Indiana.

The third approach, starting in 1982, was to move additional wardens into the heavily used duck hunting regions during the hunt.

Arrests for important duck hunting violations are increasing even though the number of Wisconsin duck hunters has decreased by 50,000 in the past nine years. Nevertheless, duck populations continue to tumble as loss of nesting habitat, continued hunting along the entire flyway and environmental factors take their toll. Despite special efforts by wardens, waterfowl populations need the immediate attention of concerned citizens from Canada to Mexico.



Excessive kill could dramatically drop overall duck numbers. Wisconsin wardens have always closely monitored duck harvests because ducks are especially vulnerable to illegal hunting methods. DNR photo

The original, six-hour hunter safety firearms course has broadened to include other areas of responsibility modern hunters face. Course topics include outdoor first aid and survival, field care of harvested game and hunter responsibility to landowners and the environment. ►

Twenty years of hunter education: a Wisconsin success story

Homer E. Moe
Hunter Education Administrator

Hunting in Wisconsin is safer than ever today, because dedicated men and women cared enough to get involved as volunteer hunter education instructors. Their efforts are the key to dramatic reversal in the number of hunting accidents. They are real hunting heroes. And every hunter should thank the volunteer instructors for improving the hunting image.

Hunter safety programs were born from need

During the 1950s and early 1960s, the number of hunting accidents in Wisconsin increased dramatically after a gradual decline during the 1940s. Most alarming was that the upward trend continued despite decreasing numbers of hunters from 1950 to the early 1960s.

The Wisconsin Legislature was equally concerned about increases in hunting injuries and deaths. It passed a law setting up our first hunter safety program in 1966, effective beginning in 1967. The program was designed to get young hunters to voluntarily take a firearms safety course.

Conservation Warden Dale Erlandson was appointed as the first Hunter Safety Supervisor in 1967 and was responsible for creating the statewide Hunter Safety Program. (Now he's an Area Director in Antigo.) He enticed other wardens to recruit and train a corps of volunteer instructors. The first state hunter safety course was held at Boyceville in Dunn County during August 1967. Eight boys and two girls successfully completed that course.

Early results were dramatic

The impact of that early Hunter Safety Program was immediate and dramatic. The hunting accident rate (accidents per 100,000 hunting licenses sold) dropped from 43.5 in 1966 to 30.3 in 1967, to 21.7 by 1970 and 9.6 by 1980. Dedication and involvement of volunteers was the major factor in preventing hunting accidents. The thousands of men and women who volunteered their time and talents are saving lives and improving sport hunting. They continue to be the key to today's successes in Wisconsin hunter education programs.

Seeing well is part of hunting safety

Good vision is essential to safe and successful hunting. From the beginning, optometrists and the Wisconsin Optometric Association have tested vision free of charge as a public service. Wisconsin is still the only state that includes vision testing in hunter education courses. This service has helped thousands of Wisconsin hunters become aware of eyesight problems and correct them.



Time for a deer check, as wardens look over licenses and back tags. Field wardens are important participants in hunter education and in the past have helped research hunter behavior. Photo by Chris Dorsey

Students get a broad view of the hunting environment

During the past 20 years, hunter safety has matured into a more complete hunter education program. The original six-hour firearms safety course has expanded to include many of the other areas of responsibility modern hunters face. Courses now average more than 15 hours and include: techniques for preventing accidents while focusing through firearms; basic firearms safety; hunter responsibility to wildlife, environment, landowners and others; principles of wildlife management and conservation; wildlife identification (including endangered species); outdoor first aid and survival; introduction to bowhunting; hunting methods and skills; field care of harvested game; and the individual's role in the future of hunting.

Wardens are important participants

Conservation wardens recruit and investigate potential course instructors. Wardens attend one session of each course held in their area and help teach conservation laws and law enforcement.

Each of the six DNR districts has appointed a Law Enforcement Safety Specialist to coordinate the Hunter Education Program and other recreational safety programs in its jurisdiction. The specialist helps train instructors, provides visual aids

training materials, evaluates instructors and reviews the entire program to assure quality, uniform instruction. Specialists also select Master Hunter Education Instructors to assist them.

We keep records

Records for course graduates are computerized and permanently maintained in the Law Enforcement Bureau. Graduation certificates are valid for life. Duplicate hunter education graduate certificates may be obtained at any DNR district office for \$2.50.

Records for instructors are retained so long as they assist or teach at least one course every two years. Volunteer instructors earn length of service awards for two, five, 10, 15 and 20 years of service.

Research on hunter behavior

During the 1970s, Wisconsin hunters were studied to determine their behavior, background, expectations and satisfactions related to hunting. Professor Robert Jackson, UW-La-Crosse, studied waterfowl, gun deer and bow deer hunters. The studies led to improved and refined hunter responsibility portions of the basic hunter education course. The resulting "Wisconsin Model" instructor and training materials have received international acclaim from hunter educators and other professional educators.

THE CHANGING OUTDOOR EXPERIENCE

Boating safety programs—a successful, lifesaving combination

Dale P. Morey
Wisconsin's Boating Law Administrator

Wisconsin boating fatalities dropped by half from 48 in 1966 to 24 in 1986. At the same time the number of registered boats increased 86 percent.

Valuable and integral parts of the DNR, boating safety programs span the public's interest in water resources and recreation.

More than 15,000 inland lakes, 34,000 miles of rivers and streams, lakes Superior and Michigan and the Mississippi River provide a variety of Wisconsin boating opportunities.

Whether by motor or sail, in canoe or kayak, all boaters care about protecting Wisconsin's water resources. Water-skiers, swimmers, sunbathers, hunters, anglers and pleasure boaters all strongly protect their rights to use the water safely.

They support boating through motorboat and sailboat registration fees, marine fuel taxes, and through volunteer efforts like patrolling local waters and reporting boating misuse and misconduct. As everyday stewards of the waterways, boaters are often the first to observe pollution; boating, fishing and hunting law violations; illegal water obstructions and water diversions.

How do public agencies use this special help? In Wisconsin, the boating safety program teaches boating safety and skills that mirror boaters' interests. The boating strategic plan lists many areas including education and information, enforcement, uniform buoy placement, reviewing local regulations, filing accident reports, and providing search and rescue assistance.

Boating values come with firsthand experience and formal education. Wisconsin's safe boating classes are conducted for a nominal fee by more than



The Milwaukee harbor — wardens check boats for safety gear and licensing. Lake Michigan skippers are encouraged to take safety courses to learn survival skills, navigation skills and respect for these powerful waters. Photo by Jim Escalante

Wisconsin's new intoxicated boater law

Robert L. Climie, Jr.,
Administrative Assistant, Boating Safety

Conservation wardens and water safety patrols are now vigorously enforcing the new intoxicated boating law. Although the law went on the books last year, an educational grace period meant only 32 intoxicated boaters were cited in 1986. Halfway through the 1987 boating season, the citation count was already up to 88.

Intoxicated motorboat operation differs legally from drunk driving. Boaters are allowed to drink on the water. However, erratic boat operation and other indications of intoxication may provide probable cause for arrest. "Operating while under the influence of an intoxicant" is a violation of law, as well as "operating with alcohol concentrations at or above 0.1 percent blood alcohol concentration."

The bottom line is, designate an operator: don't drink and operate a motorboat. Being responsible and using good judgment about boating and alcohol can eliminate very sobering consequences — fines up to \$2,000; jail terms up to a year; or worse.

800 well trained, enthusiastic volunteer instructors. The eight-hour course is offered in most communities before and/or during the boating season, depending on demand.

Classes typically feature a mix of young, budding captains who want to be certified to operate boats by themselves and "old salts" refining their skills. They often provide a peppery exchange of ideas and experiences which teaches everyone more than the basics.

Local and state law enforcement agencies find that boating education effectively combats hazardous boating practices, misuses of waterways and abuses of water resources. Upcoming courses are usually announced in local newspapers. For more information about safety classes near you, call 1-800-336-BOAT or (608) 266-0831.

Pamphlets, posters, displays, public service announcements, films and presentations help to inform the public about laws, other people's rights and boaters' responsibilities to safety. This popular approach often encourages people to boat safely.

Enforcement is coordinated between local agencies and the Department of Natural Resources. The department reviews local boating ordinances to see if additional special controls are needed to solve local problems. Placing waterway markers — the road markers and signs of our waterways — is considered.

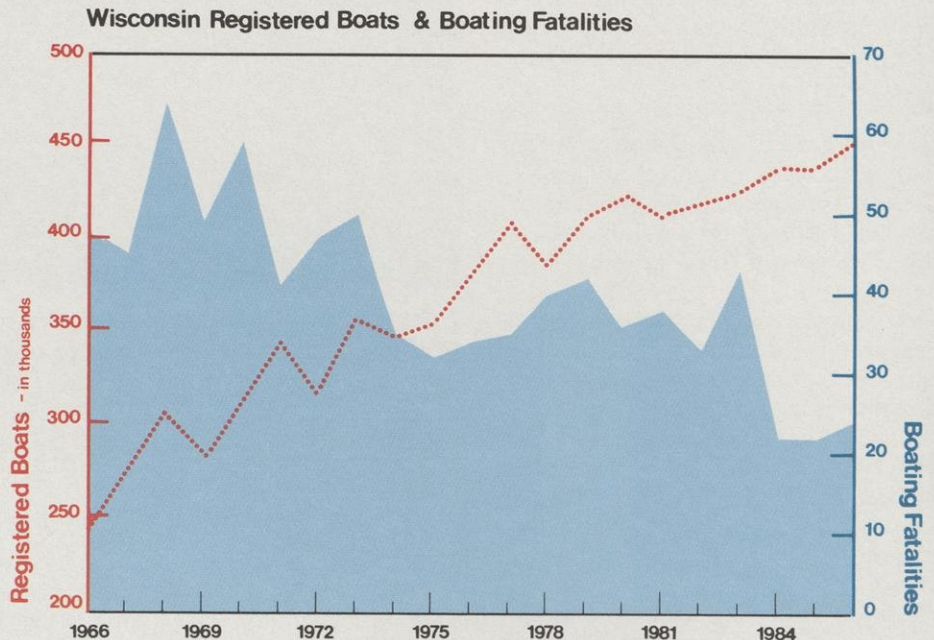
Help from shoreland residents is essential. Search and rescue operations are coordinated by county and other local governments. Their first concern is life and safety. Duties include looking for a person who has not returned from a fishing trip, attempting to rescue a person hanging onto a boat below a dam in rushing water, and the emotional procedure of removing a child from icy waters and plugging him into the modern coldwater survival system.

Despite ever increasing congestion on the waters, Wisconsin has an exceptional boating safety record. The grim 1966 ratio of 19.76 fatalities per 100,000 registered boats dropped to a 1986 ratio of 5.30 — well below the 1986 national average. These figures include neither accidents in the estimated 300,000 nonregistered boats such as canoes, kayaks and small sailing craft, nor the estimated 350,000 nonresident boats that use our state's vast waterways.

Boating safety programs are extremely important because people are our most precious resource. The combined efforts of the public, program volunteers and DNR professionals has reached millions to accomplish our ultimate goal of safe and enjoyable boating.



Boating accidents impact on both people and property. A 1985 accident involving these two boats took one life. DNR photo



As the number of boats registered in Wisconsin has nearly doubled, boating fatalities in the state have been cut in half.

Our snowmobiling tradition

Gary Homuth
Snowmobile Safety Coordinator

In 1924, the world's first snowmobile was unveiled in Sayner, Wisconsin. Since then, snowmobiling has become a popular winter sport, contributing approximately \$100 million to Wisconsin's economy each year.

Snowmobilers have always chosen to pay their own way. In Wisconsin, the vast 11,000 mile network of state and county sponsored trails were paid for with snowmobile registration money and snowmobile fuel taxes. The Department of Natural Resources offers up to \$165 per trail mile to counties to contract with individuals and local snowmobile clubs to develop and maintain trails. Overall, snowmobilers say Wisconsin's trails are well groomed and adequately marked with trail signs. It's part of what makes Wisconsin a front-runner in the nation as the place to go to enjoy family recreation in the winter months.



Snowmobilers work together to enhance their recreation. DNR contracts with individual clubs and counties to keep up more than 11,000 miles of trails. Photo courtesy of UW Extension

Since 1972, registration fees have also funded snowmobile safety and enforcement programs. Every year, many young people begin operating a snowmobile for the first time. New skills must be learned; new attitudes and judgments developed. More than 1,000 active, dedicated safety instructors volunteer time and talents to teach safe snowmobile operation, basic snowmobile mechanics and respect for the outdoor environment. To date, about 130,000 students have been trained and certified as safe snowmobilers.

Conservation wardens and 41 county sheriff's departments operate snowmobile patrols that check for valid registration, help people on the trails, discourage careless riding habits and arrest intoxicated operators. These same officers attend snowmobile safety classes and develop public service announcements. This blend of enforcement and safety training keeps the sport of snowmobiling a safe and enjoyable pastime during Wisconsin's legendary winters.



As ATV popularity rises, three- and four-wheelers are joining snowmobilers, bicyclists, cross-country skiers and hikers in search of trails to enjoy the outdoors. Photo by Michael Sohasky

All-terrain recreation

Gary Homuth
ATV Coordinator

All-terrain vehicles created a need for all-terrain safety and enforcement.

Around 1972, the first three-wheeled model all-terrain vehicle (ATV) was introduced into Wisconsin. By 1980, both three- and four-wheeled ATV models became popular as general recreation and utility vehicles. Sales soared. Surveys indicate approximately 80,000 ATVs are presently operated throughout Wisconsin.

Since ATVs and their riders can change the great Wisconsin outdoors, DNR is building a framework to accommodate and regulate this new recreational activity. Our program is patterned after the successful snowmobile program.

Monies for trails and selected ATV areas are generated through a combination of registration fees and fuel taxes. Counties, towns and villages can use these fees to develop and maintain marked ATV trails or intensive use areas. To date,

more than 1,500 miles of winter trails and 200 to 400 miles of spring, summer and fall trails are providing organized ATV riding opportunities that are compatible with other outdoor activities.

As in the snowmobile program, organization bred success. ATV enthusiasts work together with local governments and landowners to make their riding opportunities happen. More than 250 male and female certified volunteers instruct ATV riders of all ages in new skills and attitudes necessary to make ATV riding a safe and responsible sport. They also teach riders responsibility for protecting our environment.

Continued success in the ATV program will rely on increased safety education and continued cooperation among ATV riders, landowners and local governments, while complying with registration and other related laws.

INDIAN TERRITORY

Ralph Christensen
Chief Warden

Understanding Indians' special rights takes special patience and dedication.

Most Wisconsin residents are only dimly aware of the presence, location and history of Indian tribes in our state. Many have even less knowledge of, say, the Winnebago religious deer hunt or Chippewa commercial fishing on Lake Superior. Yet, Oneida, Winnebago, Chippewa, Menominee, Stockbridge and other tribes conduct many interesting activities like these and are an integral part of Wisconsin's history and future.

Controversial and complicated court cases deciding resource use by Indians have involved department conservation wardens for many years. We will deal with these types of cases for many years to come.

In an effort to better understand tribal positions and aid communication between state and tribal leaders, DNR administrators appointed a Native American Coordinator 15 years ago. That position has been held, respectively, by a Winnebago member, a Menominee, and currently by a Chippewa tribal member from Bad River, Chuck Connors.

Connors' office, by coincidence, is only 10 feet away from the Chief Warden's office in Madison. Connors' presence near the wardens is at least symbolic of the added importance Indian enforcement issues have on the day-to-day operations of our field wardens. In this single area, the ability of a warden to function as an enforcement specialist is highly tested.

Indian enforcement issues add a wide array of complications to resource areas that are already quite complicated. Wardens must be aware of different reservations and Indian lands where treaty rights are in effect: off reservation treaty rights in Lake Superior; off reservation treaty rights on ceded lands; state authority to enforce environmental and water law on reservations; locations of scattered tribal lands holdings; and specifics of season by season agreements.

Here's a way of looking at the practical effect of these issues. Picture a warden checking a hunter or angler in the field and having to ask these additional questions:

Do you claim Indian status?

Do you have a tribal identification card?

Is the ID from a Wisconsin tribe? (Ordinarily members not on a Wisconsin tribal roll cannot participate.)

Are you practicing a recognized hunting/fishing/gathering right of your tribe?

Are you on lands or waters where these activities are permitted? (private lands vs. public, refuges, reservation lands, scattered holdings)

Are you following prescribed methods and seasons established by agreement?

Do you have required tags and permits? (Systems may vary considerably from state requirements.)

If there is a violation, does it go to state or tribal court? (Does tribe have complementary code and/or court?)

What about accompanying parties? (Nontribal members generally are not entitled to assist.)

There are other questions, which only additional litigation or agreements will answer.



For years, complex legal cases defining resource use by Indians have involved department conservation wardens. Chuck Connors, shown above in ceremonial dress, is DNR's Native American coordinator. In that post, this Bad River Chippewa tribal member aids communication between state and tribal leaders.

Photo courtesy of the Great Lakes Indian Fish and Wildlife Commission

As enforcement officers, wardens are trained to handle the complications of overlapping laws in as equitable a manner as possible.

In this case, wardens also face personal moral complications of enforcing laws differently for different people based upon their membership on various tribal rolls. As professionals and as public servants, wardens have readily carried out their responsibilities. They have responded in a manner that credits their proud history and tradition.

Wardens have influenced the nature of state-tribal pacts, have ensured that new rules can be enforced within legal constraints and have assumed the major responsibility for monitoring and enforcing those agreements.

Being highly visible, wardens have borne much of the brunt of public displeasure with some of the negotiated state-tribal agreements. Some would say it goes with the turf. A field warden expressed it more realistically, "In this kind of work, I can't expect all people to like me personally, but I hope they can respect what I stand for and the job that I do."

THE WARDEN AT WORK

Contradictions

Rollie Lee
Assistant Chief Warden

Law enforcement work has its own yin and yang.

"Hunt, fish, trap and live in a cabin by a lake, it must be nice." This has been a long held misconception about the job of a conservation warden.

Rain never falls on one's dreams. Long hours, lost family weekends, snow, cold and mud never enter dreams.

The job is a people-intensive job. The field warden is both enforcer and educator, investigator and information imparter, environmental advocate and public policy implementer.

The Department of Natural Resources is a regulatory agency. The conservation warden is the traditional enforcement officer. Fish, game, parks, water pollution, wildfires and forestry enforcement made up traditional duties. Through the years, duties expanded to include environmental enforcement and broader arrest powers.

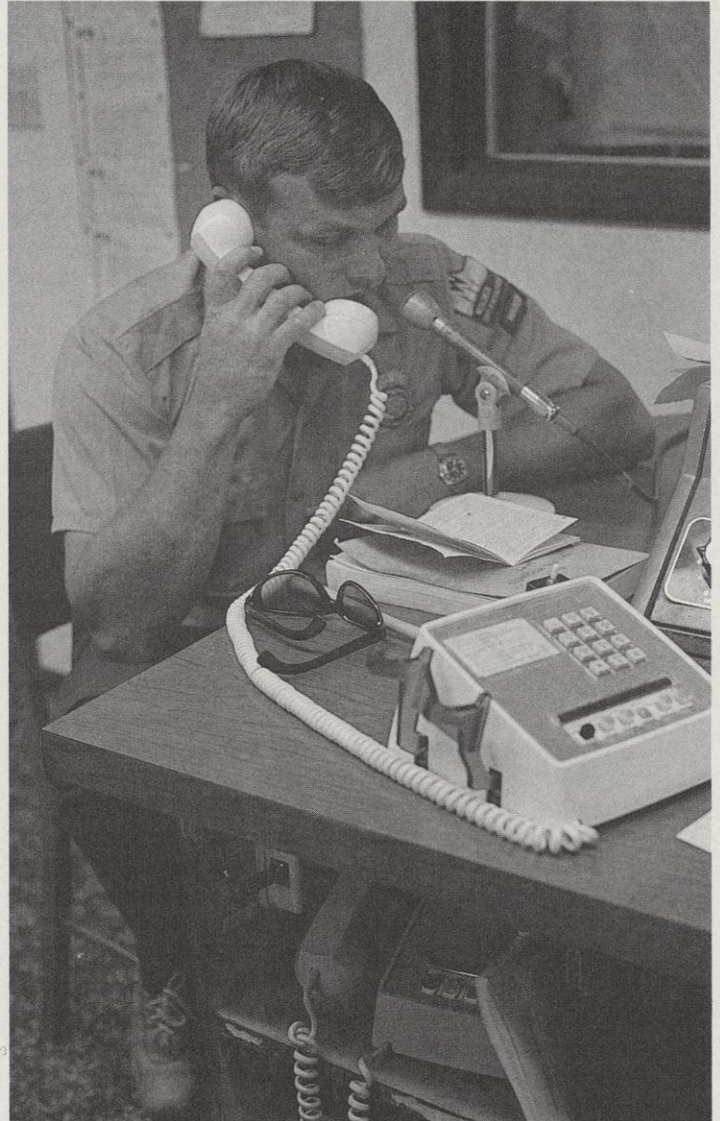
Conservation wardens are separated from their counterparts and supervisors by 20, 40, up to 60 miles in most instances. DNR recruits and hires wardens who work well on their own; decisive, self-starters. Supervisors may only contact wardens a few times a month by phone, perhaps at an area meeting, a group enforcement check, and a station visit or two. The field warden is much more like a one-person police department than a member of a large police force. Statewide policy and procedures set standards to uniformly apply the law.

While direct supervision may be limited by geography, conservation wardens are influenced statewide by district attorneys, judges and the community as a whole. A local warden's attitudes and actions reflect citizen perceptions, the nature of violations, complaints, state laws and department procedures. Peer pressure from wardens in adjacent stations helps strike balanced enforcement.

Wardens generally set their own time off and schedule their most productive work hours. Evenings, weekends and holidays are peak work times. During autumn hunts and spring fish runs, nights are often busy. Perpetual telephone complaints to the home or office often require immediate response.

Wardens also make time to issue permits and special exemptions on a variety of applications. They arrive in the warden's mailbox, in-basket, and are even dropped off on the doorstep. Applicants must meet standards set by law. Eligibility takes time to determine through inquiries and inspections. Applicants never seem to appreciate it when the permit must be denied — and that often happens — especially when people want to make pets of young, wild creatures. If they only knew the trouble, disease and injury little critters can cause. They're wild critters and are meant to stay that way!

The largest part of the warden's work is enforcement and investigation, but education and information form an integral part of the total program. Safety programs prior to hunting, or operating a boat, snowmobile or all-terrain vehicle, are the cornerstone of law enforcement education. The warden communicates with communities through newspaper articles, radio programs, television interviews, school programs and talks before civic organizations. Additionally, wardens act as a hear-



Warden work remains very people and community oriented. Here a warden fields questions from the public during a radio call-in show. An important part of warden work is to alert the public to new resource and environmental issues. Photo by Jim Escalante

ing officer at the annual fish and game hearings held in each county in April. However, the best information is imparted individually. Telephone calls are endless and seem to increase with every season. After years of hearing the answers, the warden's spouse frequently becomes an unpaid secretary, receptionist and information source.

Information is the lifeblood of good enforcement. Developing good information sources requires constant nursing. A tip at the gas station, a word whispered in the grocery store, and other sources collectively pool intelligence against hard-core violators. Telephone calls from neighbors and relatives often help close the net. The toll-free poacher hotline brings some good information, but most is born locally.

Timing becomes a key factor in getting the violator with the

Warden hyperbole

James Blankenheim
North Central District Warden

When dealing with people, a sense of humor helps.

Humor is a desirable attribute in a law enforcement officer. Spoken accounts among peers are in a language simply termed "game warden." What follows is a portion of an actual written report forwarded from a district office to the central office. This account is a sample of this storytelling humor:

The goose check at Wisconsin Rapids turned up more archery cases than waterfowl cases. In 1985, the area did some good business on goose hunters. The hunters hid in the standing corn and were able to bag a large number of birds. In 1986, the geese were present, but most fields were picked clean and plowed under. This gave the hunters no place to hide. A number of goose hunters figured the best approach was to wander out into the middle of these plowed fields and stand erect, apparently attempting to imitate a six-foot camouflaged mushroom. Most of the geese were able to detect this cunning ploy and circled the field at about 150 yards up.



The enraged goose charged . . . then "seized the opportunity." Drawing by Georgine Price

This tactic apparently antagonized the hunters as they tried to retaliate by constantly firing in a futile attempt to deafen the geese. Occasionally, a bird would plummet earthbound, probably as a result of trying to fly while covering its ears.

I observed one such incident (true story!) and feel compelled to relate it. As it happened, a goose tumbled gracefully to the plowed field. After a couple of bounces, the goose was up and running with a Nimrod sprinting after it, firing as he ran. Suddenly, the goose turned to face its tormentor! While the hunter began frantically searching his pockets for more ammo, the enraged goose charged. The Nimrod bravely stood his ground. The goose seized the opportunity and grabbed the hunter's pants — in the vicinity of his groin. The bird then shook its head. The hunter's reaction was to let out a bloodcurdling yell and run. The goose pursued, honking loudly.

What happened next was a series of stalks and charges. The hunter kept trying to circle the goose and sneak up behind it. The goose kept flailing its wings and charging.

Dirt clods and corncobs were hurled in unsuccessful attempts to dispatch the bird. Finally, another hunter, somewhat annoyed at the interruption of his hunt, walked over to the embattled pair to lend a hand. By then, the goose had laid its head on its back and begun its journey to goose heaven.

goods. Hours of watching and waiting in the cold and wet are cut short by an inside tip. A few minutes at the coffee shop, a stop by the country store, a chat with the farmer at chore time, a conversation with the town chairman, or a discussion at a logging site are some of the most productive moments a warden can spend.

Random patrolling is never just that. Whether snowshoeing into a beaver pond, walking along the trout stream, or canoeing a channel, the warden's preoccupation with purpose dampens the beauty. A pond baited for waterfowl, a chemical spill or illegal dredging needs *hours* of investigating — collecting, marking and recording evidence — and photographing to relate the story to the court.

There's court time, too. Calling upon expert witnesses to draw conclusions from evidence builds the case. Signed statements from witnesses, victims and the violators themselves help clinch the conviction. Pages and pages of field notes and sketches are written into a report. A district attorney convinced by the report dictates the complaint and a court date is set.

The warden can be a supervisor. A pittance of money is available to hire one or two "specials" (special wardens) and is administered sparingly during peak or dangerous times. Specials are often off-duty deputy sheriffs or police officers doing the work because they believe in it — not for the money. One or two DNR employees in each county believe in it too and take the required training in order to work extra hours for no extra pay.

Season openers lure thousands of enthusiasts afield. They stand shoulder to shoulder casting baits and lures of every description. Hunters line up to march across fallow fields to flush stocked pheasants. Others stand chest deep along an irregular outline of cattails for a 100-point bag of ducks. A license is produced for the warden, some light conversation follows, and then it's on to the next and the next. If the compliance rate is good, only one or two in a hundred will not have purchased a license. Occasionally, a borrowed license or luckless fellow who has his license revoked in the adjoining county are detected. An illegal hen pheasant or an over bag of brook trout may round out the day. Because the warden and "specials" check so many licenses in a short period of time, many people perceive that's what the job entails.

Woods work is dangerous work. A warden can break a leg on a beaver dam or scratch an eye moving through brush or break through bad ice. Wind chill, sun glare, whitecaps, thunderstorms, darkness, snowstorms, bee stings, Lyme disease, rabies and every other outdoor calamity or hazard are part of this work. Handling dead or diseased birds and animals that transmit human illnesses is only now beginning to be understood. Pathologists' cautions are alarming. After years of handling deer, a number of wardens develop deer hair allergies.

Vehicles and people require special care. Nationwide, as a group, wardens are assaulted four times more often than other police officers. They are eight to 10 times more likely to be assaulted with a weapon, because they frequently deal with armed people.

Emotions of people who wardens encounter constantly vary. One family group fishing is happy and pleasant to be around while the next angler is surly and angry at the world. Calls to the "scene of the crime" bring victims making accusations and culprits with yet another story. The solemn riverbank scene with family members waiting to recover a drowned relative is different from the eager classroom of hunter education students. The serenity of wilderness may change in a moment's time to the explosiveness of a testy group.

The work at times can be lonely and remote. More often,



Seasons change, and so can challenges for the warden. Under the ice of Lake Winnebago, a warden dives to check for undersized sturgeon harvest during the spearing season. DNR photo



Rules and regulations are becoming more and more intense, and wardens keep up by spending time in the classroom. Photo by Stan Schneider

however, the warden is part of a team. The team players change by event, including working with the fish manager, the game manager or other department employee on projects. Frequently, when working with local enforcement officials to capture the deer poacher who is also the cabin burglar, close enforcement bonds develop. In many areas, wardens act as emergency responders to storm-damaged sites, drownings, shooting accidents and persons lost in the woods. In our lesser populated areas, sheriff's deputies serve as the warden's backup and vice versa.

One season fades to the next, and new challenges are encountered. The variety of duties changes constantly. No two

incidents are ever the same. Experience from similar events might relate, but the tasks never merely become routine. One trapping case or fishing case is not like the next, much like people whose personalities differ. Perhaps the job rewards come from the constant variety of duties or the freedom of living and working in a nice place. Wisconsin abounds in resources and character. Outdoor ethics and aesthetics, people and resources, make the job as self-fulfilling as the imagination. Ask the average wardens to change jobs and their answer would be a resounding "No!" Their purpose for being and working is strongly motivated. Being a conservation warden is more than a job, it is a way of life.

Great Lakes patrol

Larry Kriese
Lake Michigan District Warden

Protecting the rights of commercial fishers and sport anglers to harvest portions of the bountiful Wisconsin fishery is the job of Wisconsin's lakeshore wardens.

Is it legal to sell fish taken from Wisconsin's 7,663,500 acres of water? Most people would snap, "No!" if questioned, and for the most part, they're right.

Wisconsin has some tough laws to deal with those who would illegally convert our valuable game fish species into cold, hard cash. The state conservation wardens give top priority to complaints about illegal fish and game sales.

Whether your interests in resource protection are purely ethical, purely economic, or a little of each, you too recognize it's important to prevent exploitation of something so valuable and so tough to catch.

So when is it legal to sell fish taken from Wisconsin's waters? Actually, commercial fishing in this state is, has been and probably always will be an active industry. An estimated 37 million pounds of fish are harvested from Wisconsin waters annually by commercial or contract fishermen. They net rough fish in inland waters, catfish from the Mississippi River, and lake trout and whitefish from the Great Lakes. The dollar value of this catch is more than \$4 million annually!

Wardens have a long, proud association with Wisconsin's commercial fishing industry. Even a century ago, residents of our fledgling state were alarmed about declining fish populations in the Great Lakes. In 1879, Rolla Baker was named the first Wisconsin fish warden. Warden Baker had the expressed duty of trying to protect the various fish in Lake Superior.

Wisconsin was growing fast. We were losing our vast stands of timber. The growing populations here and in the East needed more food. These factors put increasing pressures on Wisconsin fish and game.

While the commercial fishing industry has risen and fallen along with the abundance of lake trout, whitefish and perch, the need for sound law enforcement to protect these fish has been continuous.

Wisconsin has always dedicated a small number of its conservation wardens to work specifically on commercial fishing. For many years, a warden with the title "commercial fishing coordinator" has been stationed near Bayfield. Often an assistant was assigned to crew the large patrol boat that monitored activities along the picturesque Lake Superior waters off Wisconsin's "North Coast."

Today, wardens with similar duties are stationed at Sturgeon Bay and Milwaukee. They also have assistants to work on the 42- and 45-foot patrol boats needed to handle the Lake Michigan waters under most weather conditions. More recently, a conservation warden was assigned to coordinate commercial fishing along the mighty Mississippi River.

Was the effort enough? Were we adequately protecting Wisconsin's 6,439,700 acres of Great Lakes waters? If people thought so, events in 1981 and 1982 definitely changed some minds.

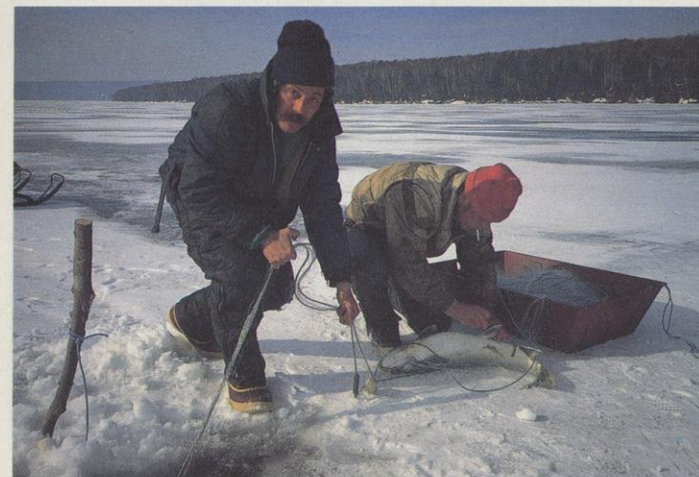
During those years, conservation law enforcement agencies from several Midwestern states and the U.S. Fish and Wildlife



Commercial Great Lakes fishermen harvest lake trout and whitefish and clean their catch out on a Lake Michigan tugboat. Wardens monitor the catch before it reaches port markets. Photo by Dave Crehore



The Wolverine II sets some gill nets. Photo by Donald B. Knoke



Sure, commercial fishermen can work their nets under ice. You dig several holes, insert a pole, get your lead line through, then feed your net along. Sounds like tricky, cold work, and it is!

Photo by Donald B. Knoke

Service ran an investigation known as "Operation Gillnet." The purpose? To investigate complaints that thousands of pounds of Great Lakes fish were being sold illegally on the black market in Chicago and New York. The results? Proof that illegal activity was taking place, in some cases far beyond the amount suspected by those who started the investigation.

Fish management personnel were alarmed. Their success in establishing healthy populations of fish depended on accurately gauging the fish harvest. Black market fish don't show up on commercial fishing records. Those who were marketing fish illegally were arrested and dealt with by the courts.

Lawmakers in several states, including Wisconsin, created new laws to make it more difficult for would-be violators to get away with their illegal transactions. Natural resource agencies were relegated the task of effectively and fairly implementing the law.

In DNR's Lake Michigan District, the timing was perfect. Perch, once a major target of both sport and commercial fishing in Green Bay, were making a phenomenal population comeback. DNR fish managers had been working hard, and their efforts were paying off for everyone. Once again that tasty table favorite was drawing thousands of sport anglers to the area. Commercial fishers also found it economically rewarding to again pursue the little fish. DNR fish managers sent a clear message to the law enforcement division: Without effective enforcement of fishing regulations, the perch population could collapse once again!

On Lake Michigan waters, thousands of sport anglers continue to pursue trout and salmon. The economic vitality of whole communities along the lakeshore depends greatly on Wisconsin's "East Coast" fishing.

The growth rate of sport fishing is staggering. In 1969, surveys showed anglers spent 256,964 hours on the water; by 1982, almost 1.9 million hours! Along with the increasing numbers come associated problems of increased boating violations and boating accidents.

Until 1984, field wardens monitored all this activity using the same number of wardens as were used before Lake Michigan became famous as "the place to go." These field wardens also had sole responsibility to carry out inland enforcement programs, and it was obvious they could not do justice to both areas.

So, DNR established an enforcement unit that deals exclusively with the waters of Green Bay and Lake Michigan from Manitowoc County to Marinette County. Budgets did not allow for hiring additional wardens, so vacant positions were moved to the lakeshore unit.

In other cases, wardens who had been performing both inland and Great Lakes duties were reassigned to work solely on Green Bay and Lake Michigan problems. In 1985, the Wisconsin Legislature approved one new warden position for the newly created Marine Enforcement Unit (MEU). Currently, the MEU consists of a supervisor at Sturgeon Bay and wardens at Marinette, Sturgeon Bay, Two Rivers and Green Bay.

The Wisconsin conservation warden force has seen a lot of changes since Rolla Baker put on the first fish warden's badge. For those who rely on Wisconsin fish for sport or a livelihood, it should be reassuring to know that one thing hasn't changed — the dedication of the men and women in gray uniforms who protect those fish for today and tomorrow.



The warden in this photo is real. . . the deer isn't. When properly deployed by wardens, this deer looks very realistic to some road hunters. The decoy, which bears the marks of its use, is a positive enforcement tool used to curb illegal shining and road hunting. Photo by Gary Scovel

The decoy

Gary Scovel
Woodruff Area Warden

Sometimes, it takes a little help from a stuffed friend to catch conservation law violators.

Road hunting violations are much more prevalent than many people suspect. Annually, Department of Natural Resources' wardens and sheriff's departments receive many complaints from landowners and other citizens who witness many variations of road hunting violations. From a conservation enforcement viewpoint, all are serious violations due to safety considerations and harm to the hunter's image. It is a difficult problem to correct because the hunter violates when targets of opportunity are present and officers (usually) are not.

Wardens frequently try to set up observation points using available *natural* game to watch hunter behavior, but naturally roaming wildlife has a habit of not sitting still just where you want it for extended periods of time. A couple of years ago, several of our wardens began using a stuffed grouse under controlled conditions on a roadside to see if would-be road hunters would commit themselves. The history of that procedure was written up by Woodruff Area Supervising Warden Gary Scovel for the fall '86 issue of *The International Game Warden* magazine. Parts of that article are reprinted here. . .

"I'd never heard of *Heady*: a pair of artificial reflectorized deer eyes. I had worked the 10 previous years in the "Banana Belt." (That's everything south of Highway 64 in Wisconsin.) I was inexperienced in the ways of the north and eager to prove to seven game wardens with an average of 20 years experience that I could hack it as their supervisor. That wasn't easy! It took about a year before they let me in on *Heady* and swore me to secrecy. Since it is no longer a secret, I'm now able to tell the story. Many deer hunters have been pinched for shining after seeing what they thought was a deer crossing the road, when, in fact, it was *Heady* in the hands of a warden.

Following my initiation with *Heady* and realizing the good violators were simply refusing to shine unless they saw a deer to go with the eyes, I surmised that if *Heady* was good, *Rudy* was better! *Rudy* was my first fake deer, made of styrofoam, equipped with reflector eyeballs and painted by a taxidermist friend. He was balanced on only three legs, so if shot, he would fall over. Too often the wind blew him over after I set him up, before I could get back to the car. His legs, head and body came apart for easy transportation and hiding in the back seat. He served his purpose well but eventually was retired anonymously to the dump due to wear and tear. [I had spent some time designing] a more realistic replacement, but never did anything about it.

"Then during the fall of 1984, a negotiated agreement between the DNR and the Lake Superior Band of Chippewa Indians made it legal for them to shoot from vehicles, but only from dirt roads onto public lands. Although it was confirmed as legal by the courts, the non-Indian public blamed the DNR. This, combined with reports that some tribal members were hunting from paved roads and shooting onto private land, led me to believe that it was time to resurrect *Rudy*. I wanted something I could use in broad daylight and submitted a field order to the District Director for a mounted deer and specified its use. Cost estimate was \$300. I convinced my immediate boss. He approved the order and sent it on. The [Department] En-

forcement Specialist called to see if I was serious and suggested that I get county prosecutors to submit a statement saying they would prosecute cases where it was used. The county prosecutors and tribal prosecutors were in favor of it due to help from Warden Tom Kroeplin.

"Armed with their approval, but impatient with the bureaucratic red tape, Tom suggested that we use a fake grouse while we were waiting. I told Tom to go ahead. Of the first seven cars to see the fake grouse, five blasted away from the car. They all got tickets, paid their fines and kept their mouths shut. Eventually, I wrote the District Director outlining our progress with the grouse and requested he expedite the purchase order for the mounted deer. He deferred the decision on up the chain of command, and I figured the deer idea was dead. But in the meantime, in absence of an order to cease and desist, I decided to go along with Tom and see it work. For the occasion, my taxidermist friend donated a mounted grouse. The stuffed one looked beautiful sitting there along side of the road — for about 10 minutes. Then, the first hunter blew stuffing, feathers and half the breast about 20 feet down the road!

"My ticket went through court, and a reporter from the *Milwaukee Sentinel* got wind of it, and the rest is history. The media coverage was extremely positive. Earlier, Tom had successfully videotaped a guy shooting the grouse out of the window of his Jeep. After shooting twice, he turned directly toward the camera and looked furtively up and down the road. His facial expression told it all. Later, after the story broke in the newspaper, television requested the videotape and showed it with the story. There were no negative news stories. In fact, there were several favorable editorials. Most quoted me explaining how it was not entrapment. I stressed the adverse aspects of road hunting over and above the ethical questions, and I think this is what won media support.

"The morning following the first news story (which offered no opinion but only reported facts), the Division Administrator of Law Enforcement called me from Madison and said, "Good work!" He advised me that the head of our DNR had come to his office to question its use but left feeling it was a viable enforcement tool."

This procedure has been used to attempt to reduce violations that are not very reachable with more traditional means. The theory is literally to get would-be violators to target an area officers can control. And, insofar as some might claim that we are actually creating the possibility of an unsafe situation ourselves, we do try to ensure that the area used has been checked for traffic and land use patterns and, in the case of possible rifle shooting, has an acceptable backstop area.

The use of the decoy itself is discussed ahead of time with the local district attorney and the local warden supervisor.

As an enforcement technique, it is particularly effective in areas having a previous history of violations and complaints. We believe we can also achieve a much wider statewide impact by working with the news media to publicize our results. This is a very productive use of wardens' time where indicated by public complaints, safety concerns and larger concerns for the image of hunting in general.

Undercover wardens stop under-the-table crimes

James Palmer
Chief
Special Investigations Section

Perhaps the most unconscionable wildlife crime is the illegal sale of fish and game. It was the driving force to set up a special undercover warden unit.

For years, Wisconsin's sportsmen have made it clear to the Conservation Congress and the State Legislature that they will not tolerate the commercial use of deer, bear, game birds, game fish and other species.

Although the statute that prohibits such trade predates this century, there have been periodic legal changes to keep laws effective as times and methods change. The most recent change increased the penalty for convictions to a minimum of \$1,000.

Historically, the trapper has been allowed to sell fur, and the commercial fisherman his or her catch. These industries are centuries old, and they are notable exceptions to the law preventing trade in wildlife.

The Special Investigations Section of the department's Law Enforcement Bureau was created 40 years ago to deal with commercial wildlife crime. This issue still remains its primary concern today.

Although he deals with an important public concern, the special investigator must remain a very private person. When his bowling team won the league championship, he didn't show up to have his picture taken for the newspaper. He's gotten real good at tossing off vague answers when people ask him what he does for a living. His wife and children don't talk much about him to their friends. His badge lays in his dresser drawer all of the time, and he never wears a uniform, but he's a Wisconsin conservation warden.

He doesn't check anglers' licenses or talk to the local Kiwanis Club about boating safety, and you'll never see him on television. It's part of the way you protect yourself when you're an undercover lawman who specializes in wildlife crime.

DNR with an undercover squad? "Why?" you ask. What do they do? These are logical questions. While Wisconsin's field warden force successfully deters natural resource laws violations, certain offenses are committed in such a secretive, clandestine manner that conventional enforcement techniques are not effective against them.

Covert investigations are.

These offenses usually involve large volumes of illegal wildlife and big sums of money. Special investigators from DNR have been remarkably successful against such criminal activity. Undercover wardens can infiltrate the groups engaged in this profitable business and collect the evidence necessary to prosecute the violators.

Wisconsin game wardens were involved in undercover work as far back as the early 1930s. Their covert activities then were centered on the unlawful sale of deer and waterfowl. Deer sold for \$10 to \$20, and ducks were worth 50 cents each.

In the past few years, there has been an exponential increase in the black market price of most wild animals. A single peregrine falcon may bring up to \$15,000 in the Middle East. Deer are still sold illegally, but now the price is over \$100 each.

Changing values for bear are a classic example. Twenty years ago, hunters were allowed to sell bears they killed. There was virtually no market and rarely did one ever bring over \$10. Today, each claw from a bear is worth \$5. They are used by

jewelry manufacturers. There is a market in the Orient for entire bear carcasses where the animals are valued for their aphrodisiac and health purposes. Recently, oriental markets have paid as much as \$1,800 for a fresh bear carcass. The law was amended to prohibit the sale of bear, and only active enforcement and good management have prevented decimation of this population by poachers.

Here in Wisconsin, both the fur trade and the commercial fishing business had black market segments that were multimillion dollar operations.

Recently, the Special Investigations Section changed extensively. The unit now conducts what newspapers like to call "stings." The investigators call them "project operations." Bogus companies, supposedly dealing in wildlife products, have been established so wardens can deal with those who pursue the profitable, unlawful trade. New techniques and equipment such as video tape surveillance, body transmitters, night vision equipment, transponders, recording telephones and paid informants have been used to break up the loosely organized gangs.

Most undercover investigations are started at the request of a field conservation warden. A few years ago, the illegal harvest and trade in lake trout from lakes Superior and Michigan threatened to eliminate this species from the sport fishery. "Operation Gillnet" was initiated by Wisconsin's undercover wardens. They set up Tri State Foods, a company supposedly wholesaling various food products in this state, Michigan and Illinois. The company bought 60,000 pounds of illegal fish from commercial fishermen and fish dealers. Wardens posed as truck drivers, businessmen, warehouse workers, investment bankers and brokers. When the curtain came down, \$150,000 in fines were assessed, and the wardens had broken the back of the illegal trout market.

Following the completion of "Operation Gillnet," it was apparent that Wisconsin's law governing wholesale fish dealers was totally inadequate to properly regulate this activity. One agent from the Special Investigations Section personally spearheaded the move to computerize the dealers' transactions reports, so that this previously unmanageable volume of data could produce reports that now detect violations.

The department proposed an amendment to the Wisconsin Statutes that regulates dealers' activities and requires tagging of each lake trout traded in Wisconsin. Wardens from the section actively participated in negotiations with legislators and lobbyists to accomplish the passage of these laws. These laws went into effect in 1986.

Little more than a year ago, this small group of covert enforcement specialists originated another operation to clean up portions of the fur industry in Wisconsin, Minnesota and Michigan. The combined efforts of undercover wardens from all three states were required to convict more than 350 trappers and fur dealers who were trading in illegal otter, fisher, bobcat, pine marten and mink. In terms of suspects apprehended, this investigation was one of the largest ever conducted in commercial wildlife crime.



These furs were confiscated by undercover agents during the prior trapping season. Two Woodruff Area wardens inspect pelts of fisher, otter, pine marten and opossum. Once legal cases are completed, these pelts will be sold through a fur sale.

Photo by Dave Kunelius

Is undercover law enforcement entrapment?

Unfortunately, there is a general public misconception that undercover enforcement is "dirty pool." Because agents use fictitious names and don't tell the truth about their objectives, some citizens consider the approach unfair. The truth is that there is no other way to curtail some of the most serious violations of fish and game laws. Yes, they set traps for criminals. Yes, they lie to suspects. The courts of this state, and indeed the Supreme Court of the United States, have given great latitude to enforcement agencies working undercover. It is a very effective enforcement technique, and it is practiced by nearly every large police agency in the country.

Entrapment might be the most misunderstood legal concept that we read about in the newspapers today. Because juries are made up of citizens, many with no legal training, it is necessary for prosecutors to overcome the public prejudice against covert police work and to clarify the issue of entrapment. During covert investigations, officers must make certain that the idea to commit the offense originated in the mind of the accused person, and officers must avoid excessive encouragement such as emotional appeals or persistence. If the prosecution's case withstands these two tests, the defendant is not entitled to the defense of entrapment.

Although the issue of entrapment is raised at nearly every trial that involves undercover wardens, the Special Investigations Section has not lost a trial based on this defense.

Who can become an undercover warden?

The position of "Special Investigator" is considered a promotion for field wardens in Wisconsin. Once appointed to this position, they devote full time to covert enforcement operations under the supervision of the section's chief investigator in Madison. This type of enforcement work is surely the most stressful in the field of police science. The burnout rate for undercover officers in all police agencies is very high. Not only is the work very demanding, but the off-duty demands of this life are very often excessive.

These wardens maintain a fictitious identity that must be complete and verifiable. This "cover" protects the security of the cases that they work on and also protects the officer's family from the harassment that often follows the prosecution of a case. Maintaining the cover is a seven day a week job. Their off-duty activities must not draw public attention. The things which special investigators cannot tell people are a large part of the stress problem.

This small group of highly motivated wardens is an integral part of the Department of Natural Resources law enforcement effort.

Two badges on the border

James Palmer
Chief
Special Investigations Section

Understanding the special challenges of law enforcement at Wisconsin's borders takes a blend of psychology and cooperation.

Law enforcement has become a difficult occupation at all levels, as society becomes more and more complex.

Witness conservation law enforcement at the state's boundaries. Conservation wardens who are stationed in border counties face sizable problems that reflect the growing complexities of their territories.

In some areas of northwestern Wisconsin, our borders run unmarked through miles of prime wildlife habitat. In areas like Lake Michigan, the border is a nearly undefinable line across one of the largest bodies of freshwater in the world.

On either side of these fine lines, opening dates differ for hunting and fishing seasons, as do bag limits, size limits and lawful means of hunting and fishing. Correct licensing can be a bone of contention, and transporting fish and game across state lines remains a problem.

Some hard-core violators use the line as an escape, crossing into the neighboring state to illegally harvest fish or game, then returning to the "security" of their home state.

Most of these problems have been resolved, thanks to agreements between the Wisconsin DNR and its counterparts in neighboring states. Border wardens carry two badges, credentials from their home state and the neighboring state.

The program does not stop there. Formal interstate enforcement meetings are held annually. The past year's problems are ironed out, and plans for the next year are made. Informal exchanges between the states' officers are ongoing, and frequently the wardens from different jurisdictions team up to resolve border violations.

The border job is not easy. The warden must be familiar with nearly twice the volume of law, and two different court systems are involved.

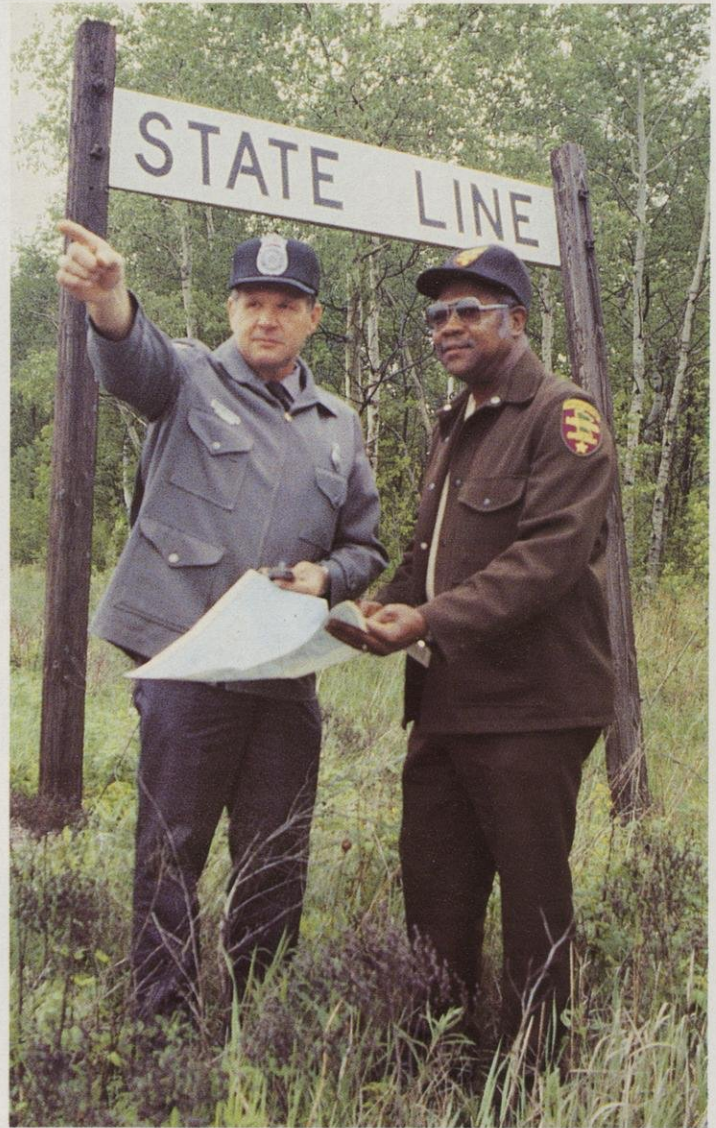
There are more complicated cases, too. The federal Lacey Act prohibits interstate transport of illegal wildlife. Occasionally, an agent from the U.S. Fish and Wildlife Service will join the two state wardens to prosecute those who would attempt to use the border as a shield.

The files are full of outstanding examples of cooperative wildlife enforcement. One of the more interesting in recent years involved a commercial fisherman from Illinois who would leave port near Waukegan and take his fish tug northeast — into the Wisconsin waters of Lake Michigan to set his gill nets. The water is deeper north of the Illinois state line, so the chub fishing is much better. A good haul would sell for more than \$1,000.

The Illinois warden who detected the illegal activity contacted the Wisconsin warden in Kenosha, and the arrest was planned.

Early on a foggy morning, the Illinois warden reported the tug leaving port. An airplane from the Wisconsin DNR went aloft and, using radar, tracked the boat's progress as it crossed the state line and began to set nets.

A warden's boat, in radio contact with the plane, left the port of Kenosha. Unable to see more than a few hundred yards in the fog, the warden crew was directed seven miles out in the



Minnesota and Wisconsin wardens discuss procedures at the state line. Border wardens like these carry two badges — one from their home state and one from the neighboring state.

DNR photo

lake by the plane until the enforcement boat came alongside the fishing tug.

Before the violators knew they were there, an Illinois warden and a Wisconsin warden were on board the fishing boat. The fishermen were over their Illinois quota for chubs and were still fishing for more in the wrong state.

Initially, the fishermen argued that they were in Illinois waters, but the plane's radar and the Loran coordinates (a navigation system) from the tug's log disproved the alibi. Then, they tried to confuse the matter by citing differing regulations from the two states. As wardens from both states were present, the facts remained clear. Citations were issued on the spot, and the chub netters were prosecuted in both states. They paid substantial fines in two court appearances.

The case would not have been successful without an excellent cooperative enforcement arrangement between the Illinois Department of Conservation and the Wisconsin DNR. Michigan, Iowa, Minnesota and Ontario have similar enforcement pacts with Wisconsin.

Season's closed

Dave Zeug
Black River Falls Area Warden

Law enforcement's raconteur describes a winter chase for a poacher.

This incident occurred during the time of year when people are inclined to ask the game warden, "What are you doing to keep busy these days, now that deer season's over?" I always respond, "People hunt deer in Jackson County every month of the year with an 'r' in it, including July and August." They laugh, I smile. It was easier than going into a lengthy oration on our varied duties. This case occurred sometime in late February, the year of the big snow.

The late afternoon call came from a sheriff's deputy who glanced up a side road while driving along a main highway and saw a car parked with a gun sticking out a window. By the time he stopped, turned around and drove to where the car had been, it was gone. The fresh snow showed where two sets of boot tracks left the road and climbed over a deep snowbank into the woods, but did not return. That and a dead deer lying just off the road prompted his call. It was apparent the deputy had disrupted an illegal deer hunting effort.

The deputy called me, and I in turn called another warden who met me at the scene. Although the late afternoon sun was below the horizon when we started following the two sets of tracks, we could tell they were traveling together. We pursued the pair for about one-half mile. From the length of their strides, we could tell one was having trouble keeping up. The two feet of fallen snow made for hard going. One set of tracks, the long strider, continually stopped to wait for the second shuffling set.

Tracks showed the two split up, going in different directions, but both were heading roughly west, toward a town seven miles away. After a quick conference with my partner, we decided to continue with one of us on each track. We kept in touch via portable radios. I didn't have to remind my partner that we had to consider the two armed. By now, it was totally dark. The flashlight beam showed that my man, the long strider, was now running through the snow — he knew he was being pursued. The chase was on.

Although my light gave away my presence, I needed it to stay on track. Another hour went by. I heard the deputy who had initially found the car go off duty, and the dispatcher inform the new deputy of what was happening in the woods. Then my partner broke in — he had caught his man and was leading him out.

One down.

On we went — another hour, across Cemetery Road, fording a small stream, through a frozen swamp and across another road. I knew I had about one more hour or several miles to catch him, or he'd make it home. By staying in the trail he broke, I was able to make good time, but by now my battery powered radio was dead, and my flashlight was dying. I wasn't doing too well either. As time went on, the impression of his boot print became as firmly etched in my mind as it was in the soft wet snow. My fading light showed that his stride was shortening — the next 30 minutes would tell the story.

Then, there they were in the weak light — the same boot treads I'd been following, but now pointing up, not away.



"You'd have never caught me if I hadn't been breaking trail. . ."

Drawing by Georgine Price

It was my man, legs extended, sitting against a tree with the bottom of his boots facing me. All he said was, "You'd have never caught me if I hadn't been breaking trail." Maybe — maybe not. I went to handcuff him, but found that I had lost my cuffs to the brush during the chase, as well as every button on my coat. As it turned out, he was no problem — exhausted. We walked out of the woods together, miles from where we started. After posting bond, my partner and I gave the pair a ride home. I guess we didn't have to, but it seemed the right thing to do.

The next day someone asked why we'd chase anyone all that way, "Just because they shot a deer. We've got plenty anyway." He may have had a point, but only maybe. Perhaps people like game wardens are part of the reason we do have plenty of deer. Besides, if we didn't go the distance, who would?

Penalties

Ralph Christensen
Chief Warden

Unfortunately, some people have to be fined to learn conservation lessons.

Conservation regulations are designed to ensure that species survive. That's why we set seasons, establish refuges and set size limits. Rules like bag limits and gear restrictions are tools for equitably sharing resources among users, and they also keep outdoor recreation safe.

Our task as wardens is not simply to catch those who violate these laws, it's to ensure that the general public understands and complies with laws.

We do this by explaining, educating and gaining public cooperation and support. We also try to get maximum impact from the citations we do write, including deterring potential violators.

For 100 years, the warden force didn't have to be concerned with hours and priorities. If something seemed to be a problem, more time was spent on it. Simple. Warden overtime — primarily donated time until recently — exceeded 700 hours per warden per year.

But about two years ago, the federal Garcia decision required that wardens get paid at time and a half for all overtime hours. We had already increased emphasis on work planning, and developing priorities and objectives. Now, we have to get the most mileage, compliance and deterrent value possible from each warden work hour.

If wardens are asked to list their priorities, some may tell you the first is to catch that violating so-and-so who lives in such and such a town. But they will also be aware of their response priorities:

- safety related issues
- critical and endangered resources
- response to hazardous spills
- violations in progress
- information services
- patrol, permits, inspection, etc.

Increasingly, we are reexamining the biological and philosophical basis for our regulations so we can be more effective in deterring violations without investing patrol hours.

We believed that strict law enforcement would help game populations and that strong penalties would deter crimes, but we didn't have hard facts.

We noticed a trend when conservation laws were modified in 1976. Many violations formerly considered criminal actions were reduced to civil fines. The new laws also eliminated a mandatory 10-day jail sentence for serious deer violations. We believe these changes were responsible for the sharp rise in deer violation rates.

The most remarkable change occurred between 1979 and 1980, when the legislature increased deer penalties for serious violations from an average of about \$200 per violation to a fine of some \$2,000. These high fines have deterred illegal hunting.

Arrests plummeted the first year, subsequently stabilized and now edge slowly downward. A number of hunters who regularly violate conservation laws have told our undercover investigators that potential big fines have taken the "fun" out of their activities. Apparently, big fines virtually eliminated groups of occasional violators.

Some wardens, judges and district attorneys didn't like the high mandatory fines at first, but now there's fairly uniform acceptance and interpretation statewide.

Wardens thought the fines might promote more physical resistance to arrest and more vehicle chases. Neither has occurred. Some judges were concerned about the fairness of charging \$2,000 per violation when burglars might get off with less. Some district attorneys were concerned also about fairness and the possibility of more jury trials.

Most of the dust has settled on this issue, and we can examine the results.

Wisconsinites must have noted the tremendous deer herd increase in recent years. That increase is at least partially attributable to the fact that thousands of deer were not illegally shot by violators. The increase clearly benefits the legitimate hunter, but there's increased crop damage, which worsens things for farmers. And then there is greater potential for more car/deer collisions.

Meantime, there is opportunity for the warden force to begin shifting staff to other objectives. We have begun to scale down our deer enforcement effort and shift staff to other resource problems.

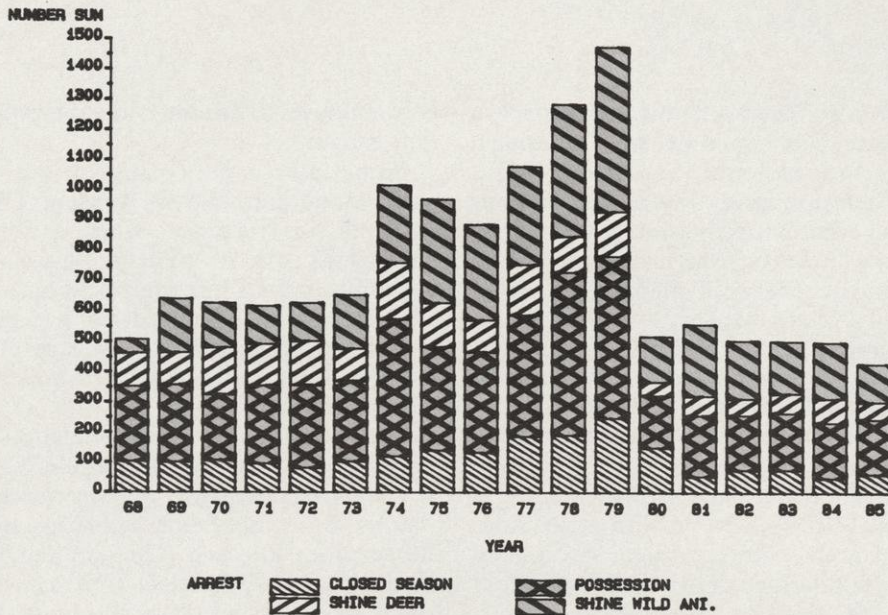
Over a long period of time, we've protected critical resources with good results, largely through the use of extraordinary amounts of staff time.

Sturgeon are a good example. Because they grow so slowly and reproduce so late in life, they need extra help. Traditional protection like the annual sturgeon watch during the spawning season can help protect this ancient fish. However, recently enacted high fines might also be a key factor in seriously changing the repeated violator's habits. Together, high fines and strong enforcement may break the patterns.

Then we face the problem of multiple deer kills by some bow hunters who use friends, wives or girl friends to tag and register extra kills. Though we have cited and convicted many violators, the problem persists. Would the threat of high fines curb these violators? Possibly, but studies of this group of hunters suggest another alternative. Most bow hunters, during the season, live for their opportunity to hunt. In these cases, lengthy, mandatory license revocations may bring the desired results.

So, you see, in the hands of the courts, penalties can be used to effectively deter conservation crimes. At the same time, we can build a stronger base of natural resources for conscientious sportsmen.

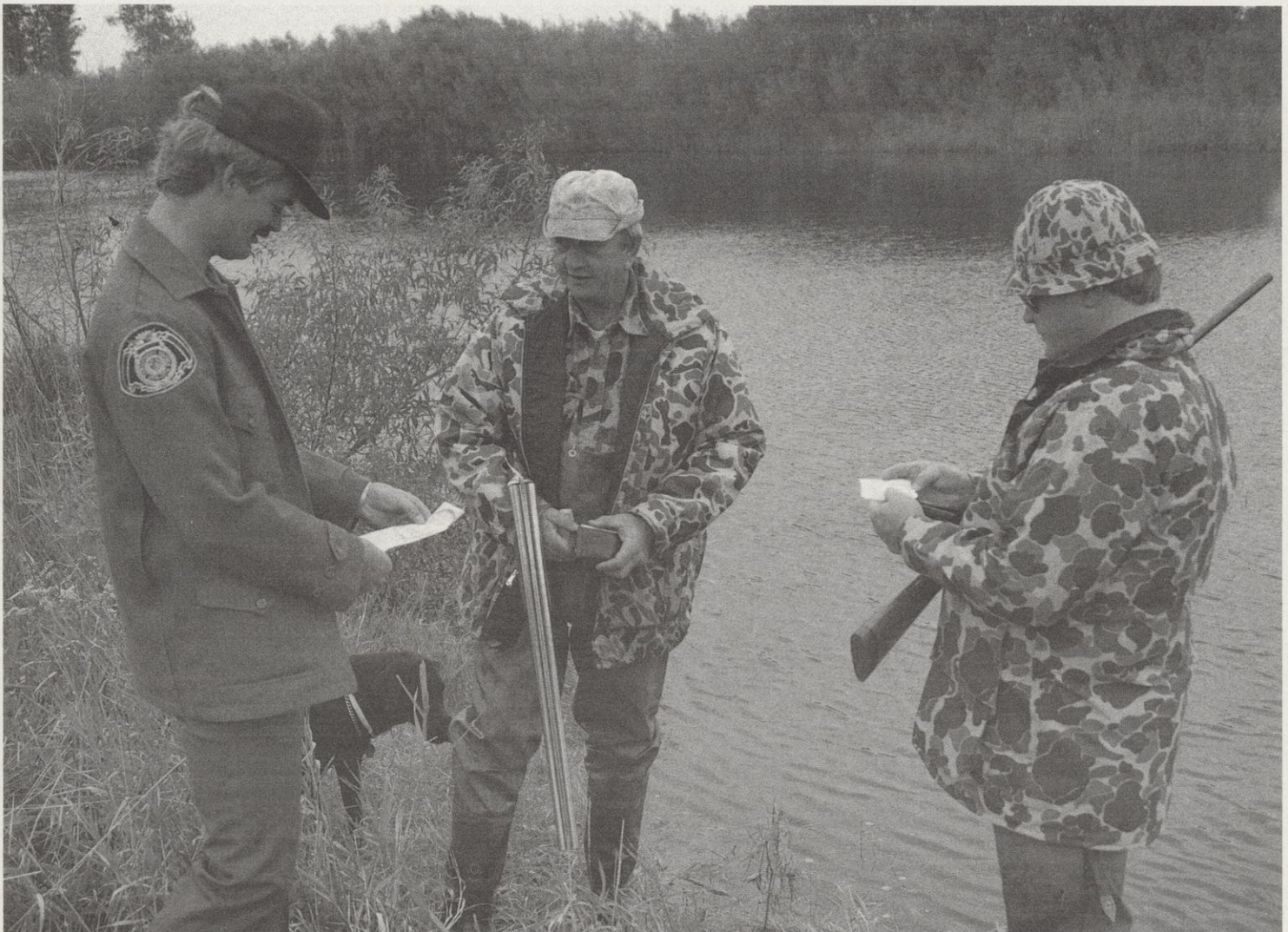
DEER HUNTING AND SHINING ARRESTS AFFECTED BY 1980 INCREASES IN PENALTIES



SOURCE=WARDENS ARREST RECORDS

High monetary fines prove to deter illegal hunting practices like shining and poaching deer. The dramatic decrease in the numbers of arrests for those activities attests to this success. Enforcement under the new law began in 1980.

Wardens have cordial contacts with, perhaps, 100 sportsmen and sportswomen before encountering an unlicensed or illegal hunter. Photo by Bob Queen



What happens when a warden catches you?

Steven DeWald
Jefferson County Warden

Editor's note: The outdoor column in weekly newspapers is a valuable tool for wardens to share information and discuss current issues. Here, DeWald used his "Jefferson County Outdoors" column to discourage violations while explaining what happens when citations are issued.

Here's what to expect if you're ticketed by a warden.

A conservation warden has many responsibilities. His primary goal is "voluntary compliance" — when people voluntarily obey conservation laws even when the warden is not present.

A warden's performance in a geographical area is often judged by how many people in the area routinely obey or disobey the law. We conclude that fewer people violate conservation laws where a warden is doing a good job.

In some situations, the warden can convince people to follow the rules through education. Wardens make presentations at hunter safety courses and sportsmen's club meetings, or write newspaper articles to show people how conservation laws affect wildlife populations.

However, some people continue to vi-

olate laws. The warden is then forced to educate them in another way, by using a uniform conservation citation — a ticket.

There are many myths and legends about what happens when a warden arrests a hunter or fisherman. I would like to explain what really happens.

First of all, there are two types of violations — crimes and civil forfeitures. Crimes are serious violations such as possession of illegal deer, trap theft or resisting a warden. Penalties include fines, jail terms or both.

An individual arrested for a crime is taken to the jail to post an appearance bond and be fingerprinted. A criminal complaint is then drawn up in the district attorney's office. The matter is then brought before circuit court.

Civil forfeitures, such as fishing without a license, are the most routine violations. In these cases, the warden observes the violation and usually issues a citation at the scene. Under some cases, such as bad weather, the warden may mail the citation to the person.

For civil forfeitures, the person has a choice of paying the bond for the violation by mail or appearing in court. If the

person refuses to do either, an arrest warrant is issued.

Sometimes a court appearance is made mandatory by the warden. This happens, for instance, when a duck hunter kills three or four times his daily bag limit, and his hunting privileges are likely to be revoked by order of a judge.

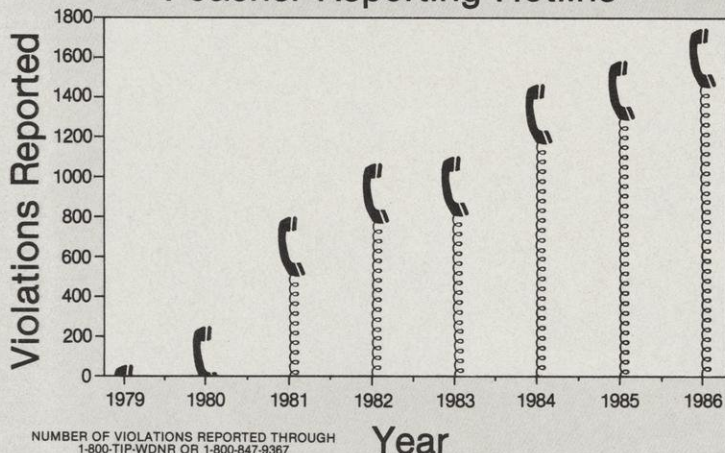
For some crimes, like possessing illegal deer, license revocation is a mandatory part of the penalty.

The bond amount for each violation is determined by a set bond schedule. This is a small book carried by each warden that lists all conservation violations and the penalties for each. The amounts in the book are set by a panel of Wisconsin judges. The money paid as bond goes to several places:

- The forfeiture itself goes to the state school fund to provide property tax relief.
- A penalty assessment, equal to 15 percent of the forfeiture, funds training for law enforcement officers in the state.
- A \$10 fee goes to the county to cover court costs.

Turn in poachers

Increases in the Use of the Poacher Reporting Hotline



Tips from people using the toll-free hotline help Wisconsin's warden force catch fish, game and environmental lawbreakers. The hotline is especially busy during the fall hunting seasons and weekends.

Hot tips are very important in protecting Wisconsin's fish, game and environment.

"This is the fish and game violation hotline. No informational questions are answered on this line. If you want to report a violation, please stay on the line. If you have a question, please call any local Department of Natural Resources office as listed in your telephone book."

Wisconsin's poacher reporting hotline number, 1-800-TIP-WDNR, has been in use since 1979, and hundreds of violators have been apprehended and convicted because Wisconsin citizens get involved in protecting their natural resources. More than 1,500 violation complaints were received during each of the past several years. People have reported a wide variety of violations from fishing in closed areas to killing deer at night.

Nearly 70 percent of the callers were reporting illegal takes of wild game animals; 20 percent of the calls concerned fish; the remainder involved furbearers or other environmental problems. Almost 70 percent of our hotline tips are received in September, October and November, and more than one-third of them occur on weekends.

The TIP hotline is operated by the Bureau of Law Enforcement in Madison during office hours and by the state patrol police communications officers at night, weekends and holidays. That's part of the reason hotline operators don't answer DNR questions.

Teamwork between citizens and wardens is essential to maintain high quality fishing, hunting and wildlife viewing. The hotline is statewide, toll free, round-the-clock and strictly confidential.

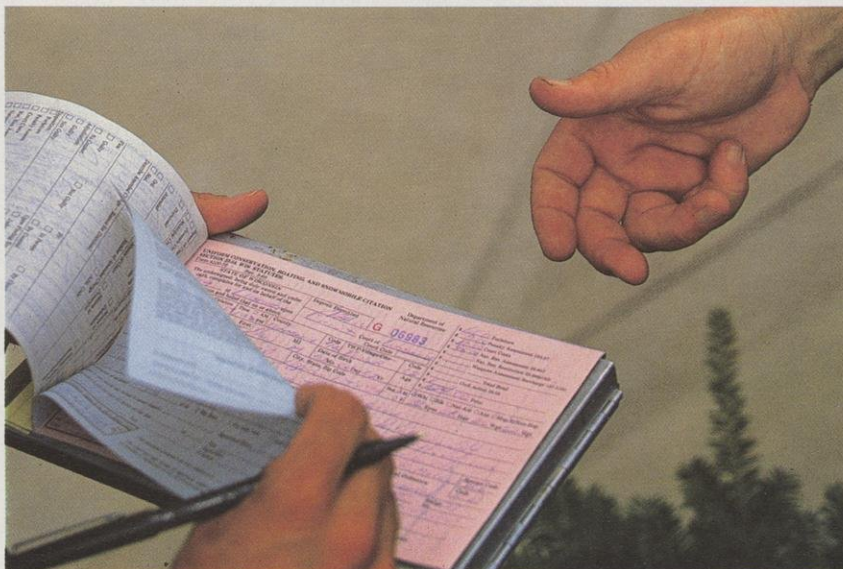
- A natural resource assessment equal to 75 percent of the forfeiture goes to the conservation fund, which covers costs for various DNR functions like forestry, fish and wildlife management and law enforcement.

Wardens also have the authority to seize equipment used when violating conservation laws, but in most situations, equipment is not seized. The equipment can be kept by the warden until the case is settled in court. At that time, a judge decides to either return the equipment to the owner or to permanently confiscate it.

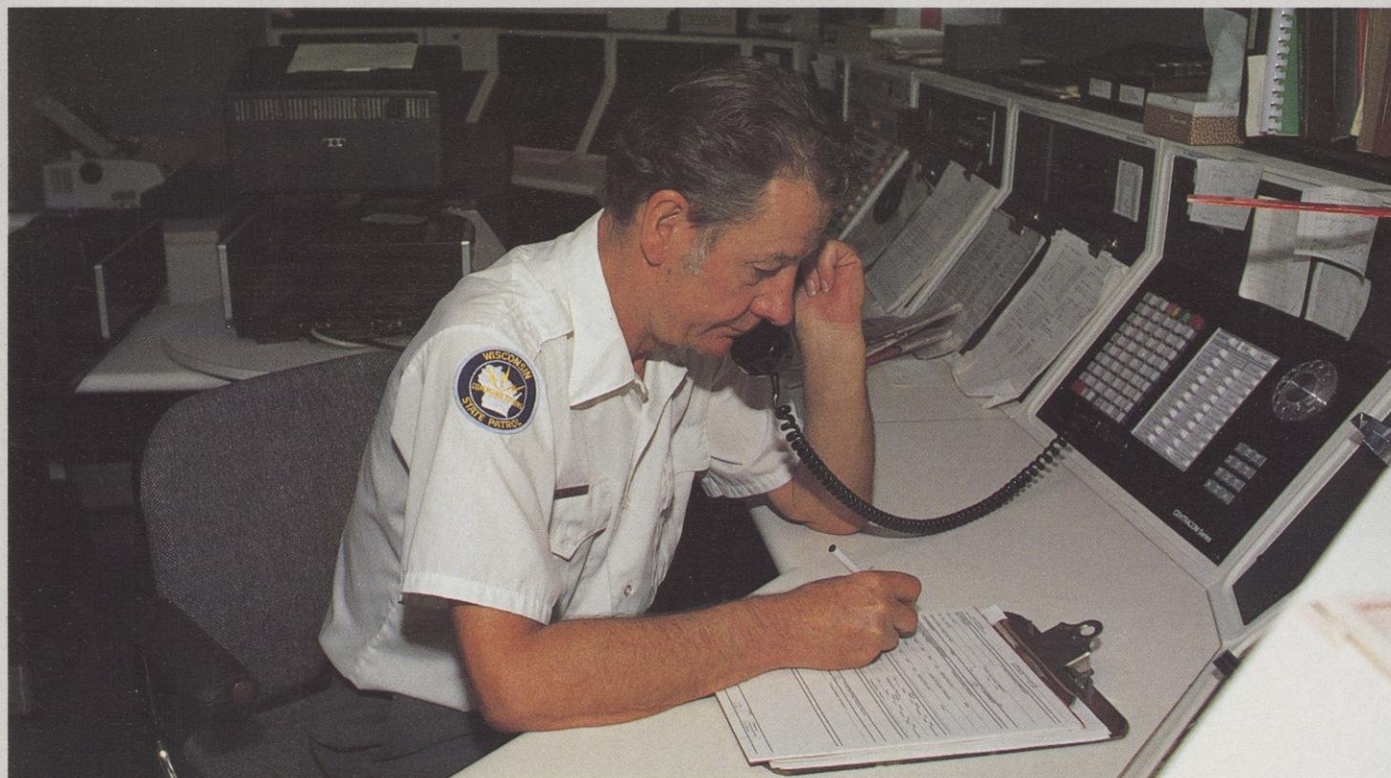
Confiscated equipment is taken to Madison to be sold at public auction.

Fish or game taken illegally are also seized. However, such items are not confiscated by a judge since they are considered to be held in trust by the state.

Naturally, nobody wants to experience this process firsthand. However, we need to encourage people to voluntarily follow the laws. Without fines, some people will always think of personal gain before they consider the continued health of our natural resources.



Some people continue to violate laws, and wardens must issue tickets. Sometimes the citation is handed over directly, sometimes it is mailed. Photo by Bob Queen.



State Patrol officers answer the poacher hotline during evening hours, weekends and holidays. Teamwork among a caring public and various law enforcement agencies is deterring illegal activities. Photo by Bob Queen.

*At many levels, the airplane gives wardens "the big picture."
It's a vital tool for law enforcement to trace environmental
pollutants, track lost hunters, spot deer shiners and get an aerial
view of shoreline and waterway diversions.* Photo by Jean Meyer

