



## WDFW Enforcement Program Advisory Committee

April 14, 2007

0940-1510

Snoqualmie Pass, WA

<b>Members in Attendance:</b>	
Rex Anderson	Dave Akehurst
Ray Boone	George Brady
Dave Croonquist	Ray Hansen, Vice-Chair
Vince Hawkins, Chair	Bob Holfreter
Jim Kujala	Holly Ledgerwood
Chris Marlahan	Ed Owens
Josh Pearson	Gary Terrell
<b>Guests from the Game Management Advisory Council:</b>	
Walt Christensen	Bruce Johnson
B.J. Thorniley	Tony Wells
<b>Fish and Wildlife Commissioners:</b>	
Chuck Perry	Miranda Wecker
<b>WDFW Staff:</b>	
Bruce Bjork, Chief	Sean Carrell, Problem Wildlife Coord.
Kimberly Flowers, Accreditation Mgr.	Bill Hebner, Region 4 Captain
Bill Jarmon, Deputy Chief	Nate Pamplin, Wildlife Policy Coord.
Lori Preuss, Legal Liaison	

### Chair Vince Hawkins Convened Meeting at 0940

Attendees made introductions around the room.

### [February Meeting Minutes](#) Reviewed and Approved

Some attendees did not receive the minutes because Chair Hawkins does not have their email addresses.

### Committee Objectives/Projects

Chief Bjork reviewed the attached list of suggestions of topics and projects.

1. **2008 Legislative Session:** Interim work on 2008 Legislative Session starts at the end of April. Since it would be too onerous to draft RCW/WAC language in the committee, Enforcement will take proposals from stakeholders for the EAC to review.



2. **Depredation Permits/Big Game:** Proposed legislation for 2008. Ed Owens and Hunter's Heritage Council and WDFW will draft language for the bill.
3. **Pamphlets:** This is an area of concern; we need to simplify them. Should the group divide all pamphlets or focus on hunting and fishing pamphlets? This effort could really benefit WDFW for 2008, and now is the time to begin. For the pamphlet review process: Fishing begins in March, Hunting in April. The pamphlets go to print one week later. Fishing major cycle is open for public comment now for 2008-2009.

**Pamphlet Subcommittee:**

**Ray Boone**  
**Holly Ledgerwood**  
**Ray Hanson**  
**Vince Hawkins**  
**Lori Preuss**  
**Deputy Chief or a Captain**

4. **Proposed Legislation:** Omnibus Title 77 bill for 2008. In 99-00 there was a rewrite of Title 77 that cleaned up the language. It has been revisited almost every year thereafter. Lori Preuss indicated that WDFW is already looking at a clean-up bill for 2008 and deferring major policy changes until 2009. Ed Owens stated that the Senate may not want to move forward with an omnibus bill. Chief Bjork shared that the omnibus bill is Senator Jacobson's request. We need to have a draft by mid-May. The EAC will discuss the omnibus bill draft at the June meeting.

**Omnibus Title 77 Bill Subcommittee:**

**Ed Owens, lead**  
**Dave Croonquist**  
**George Brady**  
**Gary Terrell**  
**Bob Holfreter**

5. **Structure of Enforcement:** George Brady requested this topic. Questions to consider: What is best for the resource? Is CALEA a wise use of funds? Why are there are sergeants with only two to three officers under them? There's a need to prioritize fish and wildlife issues. Ed Owens added that legislators don't think there is enough fish and wildlife presence.
6. **Strategic Plan:** This is a global vision for Enforcement that includes staffing and resources. The Enforcement Commission Subcommittee is also reviewing staffing and deployment as a major focus of their group.



**Strategic Planning/Direction Subcommittee:**

**George Brady  
Ed Owens**

7. **Outreach and Education:** This topic was suggested by Tony Wells. He believes it should be a high priority. Dave Akehurst agrees that public relations and communications should be a focus. The Deputy Chief and Captain Hebner will work with Public Affairs to improve public relations. Enforcement is looking at having a public relations person within the program. There is an attempt to eliminate photos of illegal activity, where possible. Ed Owens said that photos of what is legal and not is being discussed by the public.
8. **Public Relations:** Contacts between the Department and the public, and the officers and the public needs to improve. Dave Akehurst added that if there's an incident in the field, the public should be notified about how it was resolved. Gary Terrell gets complaints that people can't get a call back from Enforcement. The Chief said that we need to correct feedback loops. We have a TIP line, but it will be changed/revamped. We always need to get back to the reporting party.

**Public Relations Subcommittee:**

**Dave Akehurst  
Jim Kujala  
Sean Carrell**

**Eyes in the Woods – Tony Wells**

Tony gave a description of the Eyes in the Woods (EITW) program. It is 7 years old, and it has 1,200 members. It was established to help WDFW accomplish its objectives. They have a two-hour class that is given by officers and EITW representatives. The program is a free service, and everyone should participate in it. It is like a neighborhood watch for hunters and fishers. The purpose is to train resource users about what information to provide to officers if they observe a violation.

**Complaint Process – Chief Bjork**

Enforcement accepts written or anonymous complaints. For all complaints, we sent a letter to the complainant acknowledging their complaints (if we have their contact information). The Captain then conducts an investigation. George Brady asserted that since the investigations are done internally, there can be cover-ups, and the agency should take a proactive look at it. George recommended officer training on interpersonal contacts. Chief Bjork indicated that this is a part of the training at the Basic Law Enforcement Academy. Captain Hebner advised that our officers go through a psychological examination before they are hired. We



have the best ambassadors and diplomats. Management is committed to dealing with the anomalies. Ed Owens agreed that the system works pretty well.

### **WDFW Regional Tribal Management Plans – [Nate Pamplin](#) and [Captain Hebner](#)**

Send Nate an email to [pamplnpp@dfw.wa.gov](mailto:pamplnpp@dfw.wa.gov) if you'd like the tribal treaty for your area.

Nate explained that WDFW's definition of [open and unclaimed land](#) is that there are outward indicators (fencing, signs, buildings) to show that the land is claimed. The tribes believe that they have hunting rights if the land is not occupied (no conflicts with settlers) or if it is a traditional hunting area.

WDFW is working with the tribes to create agreements. Thus far, they have not been successful, but they are still working on a draft that both sides can agree to. They have met with representatives from the Point Elliott, Olympics, and Medicine Creek Tribes. WDFW is looking at an operational guideline approach.

Captain Hebner shared some recent tribal hunting cases and their outcomes. (See presentation for additional detail).

The group debated many issues regarding tribal hunting, but Chair Hawkins recommended each committee member spend some time reflecting on it and share his or her comments with him via email (see action items).

### **WDFW Rules Process – [Lori Preuss](#)**

Lori explained that the [Washington Administrative Code](#) (WAC) consists of rules that agencies adopt, and the [Revised Code of Washington](#) (RCW) are laws that the legislature and Governor enacts.

The basic steps the WDFW uses for rule-making are:

1. File a 101 to let citizens know that we plan to change or create a new rule.
2. Work with stakeholders to draft rule language.
3. File the 102 (at least 45 days after the 101 was filed).
4. Conduct a hearing.
5. File the 103 (explain what changed between the 102 and 103).

The process takes approximately six months to complete.

Look at the [Washington State Register](#) for WACs in process or recently-adopted. Let Lori know if you'd like to get on a mailing list to receive information on WAC hearings. If you are not able to attend a hearing, you can send your written comments (see 102).



Commissioner Perry informed the group that the WDFW Commission has a new process for hearing testimony on WACs to provide for additional time to review and respond to citizen's comments. They hear from citizens one meeting before they make a decision on the rule. However, as Commissioner Wecker indicated, the public also has an opportunity to testify at the meeting where they make their decision. For information on Commission meetings, visit their [Web Page](#).

Lori asserted that the public must be aware of the changes that the WACs create. They are posted online, over a toll-free number, and in newspapers.

If you recommend changes in rules, contact Lori or the applicable programs directly.

### Legislative Session Update – Ed Owens

Bills discussed at February meeting:

Bill Number, Title	Status
<a href="#">HB 1011</a> , Revising provisions relating to alien firearm licenses.	Dead
<a href="#">HB 1014</a> , Encouraging safe storage of firearms.	Dead
<a href="#">HB 1026</a> , Regulating the sale of firearms at gun shows and events.	Dead
<a href="#">HB 1045</a> , Maintaining the ability of the board of natural resources to determine the deduction of proceeds from transactions on state lands managed by the department of natural resources.	Replaced by HB 1646
<a href="#">HB 1078</a> , Creating the crime of unlawfully hunting upon the property of another.	Dead
<a href="#">HB 1082</a> , Requiring that certain shellfish and seaweed harvest license be available for inspection.	Will pass
<a href="#">HB 1146</a> , Increasing the amount of money available to pay wildlife damage claims.	Conditional passage
<a href="#">HB 1147</a> , Concerning damage to livestock.	Died at Senate Rules (mole trapping language)
<a href="#">HB 1248</a> , Redirecting certain moneys for the benefit of department of fish and wildlife programs.	Dead
<a href="#">HB 1249</a> , Authorizing a one-year deferral of hunter education training.	Passed House and Senate; auditory and visual presence and three years licensed in WA required;



	excludes wild birds
<a href="#">HB 1261</a> , Purchasing service credit for periods of temporary duty disability in the law enforcement officers' and fire fighters' retirement system plan 2, the teachers' retirement system, the school employees' retirement system, and the public safety employees' retirement system.	Passed – On Governor's desk
<a href="#">HB 1275</a> , Concerning records in a criminal case.	Dead
<a href="#">HB 1400</a> , Excluding common mole and gopher traps from the definition of "body-gripping trap."	Dead
<a href="#">HB 1418</a> , Protecting consumers from the keeping of dangerous wild animals.	Passed
<a href="#">HB 1606</a> , Concerning animal trapping.	Dead
<a href="#">HB 1646</a> , Authorizing department of fish and wildlife employees to sample fish, wildlife, and shellfish.	Passed House and Senate
<a href="#">HB 1651</a> , Creating the boating activities program.	Dead
<a href="#">HB 1678</a> , Addressing law enforcement officer and firefighter retirement system plan 2 retiree medical.	Dead
<a href="#">HB 1679</a> , Determining membership on the law enforcement officers' and firefighters' retirement system plan 2 board.	Passed House and Senate
<a href="#">HB 1687</a> , Allowing department of fish and wildlife enforcement officers to transfer service credit.	Dead
<a href="#">HB 1756</a> , Authorizing one additional hound hunting cougar season.	Passed with one year extension
<a href="#">HB 1787</a> , Minimizing the safety risks posed by wildlife at airports.	Dead
<a href="#">SB 5185</a> , Allowing a county legislative authority to authorize hunting while operating an off-road vehicle.	Dead
<a href="#">SB 5202</a> , Concerning permissible weaponry for on-duty law enforcement officers.	Passed House and Senate
<a href="#">SB 5266</a> , Concerning juveniles in the custody of law enforcement officers.	Dead, but may be possibly amended
<a href="#">SB 5620</a> , Clarifying the authority of the civil service commissions for sheriffs' offices.	Signed into Law
<a href="#">SB 5865</a> , Clarifying the use of risk level classifications by law enforcement.	Dead
<a href="#">SB 5867</a> , Authorizing tribal, Indian nation, and bureau of Indian affairs law enforcement and public safety officers to act as Washington peace officers.	Dead
<a href="#">SB 5923</a> , Regarding aquatic invasive species enforcement and control.	Requires Senate concurrence
<a href="#">SB 6053</a> , Creating a legislative task force on the structure of the department of fish and wildlife.	Dead



For more information, see Ed Owens' Enforcement Advisory Council Special Report (attached) or the Legislature's [Bill Information Web Page](#).

### **WDFW Enforcement [2006 Annual Report](#) – Chief Bjork**

This report, which is required by CALEA, is more detailed than the 2005 report. Chief Bjork guided the group through the highlights. The report is distributed to all officers, Commissioners, WDFW management, Legislative Natural Resource committee members. The public can access it online.

### **Enforcement Budget Update – Chief Bjork**

The carry-forward level for the 07-09 budget is the same as the 05-07. There is an allotment of \$250k for the LEOFF retirement shortfall. It is the state's share of the payment. With that, we can hire one more officer. State funding for Marine is the same, except for the Aquatic Invasive Species. We will have \$223k transferred from WSP (out of the AIS Enforcement Account).

We requested 6 half-time FTEs to serve as dedicated property and evidence custodians (PEC). We were funded at 1 FTE and \$157k. We will proceed with one Eastside and one Westside PEC.

#### **Action Items:**

- *Chief Bjork will provide committee members with a copy of the interpersonal relations training that officers receive at the Basic Law Enforcement Academy before the June meeting.*
- *Send emails to [Vince Hawkins](#) with your input on Tribal Management Plans. Do you think negotiation a good route to take with the tribes? Or litigation? He will combine the responses into a unified response for Chief Bjork to take to WDFW Management.*

**Next meeting:** *Saturday, June 16, from 0900-1500, in Ellensburg. The agenda will be sent out before the meeting with information on location and topics for discussion.*

