



WDFW Enforcement Program Advisory Committee
June 7, 2008
1000-1500
Ellensburg, WA

Members in Attendance	
Rex Anderson	George Brady
Dave Croonquist	Ray Hansen
Pat Hatchel	Bob Holtfreter
Jim Kujala	Holly Ledgerwood
Ed Owens	Josh Pearson
Gary Terrell	
WDFW Staff:	
Bruce Bjork, Chief	Rich Mann, Captain Region 3
Sean Carrell, Problem Wildlife Coord.	
Members Absent:	
Dave Akehurst	Ray Boone
Chris Marlahan	

Chair Ray Hansen Convened Meeting at 1000

Reviewed minutes/requests from the March 1st meeting. No changes.

March Meeting Minutes Reviewed and Approved

Chair Ray Hansen asked that the committee observe a moment of silence for Officer Jon Jeschke. Ed Owens suggested a letter of appreciation to the family for his service, and the committee agreed. Ray attended the funeral on behalf of the Enforcement Advisory Committee. Ray asked if there were any additions or deletions to the agenda. Gary Terrell suggested that the committee table the data collection topic until the next meeting. George Brady asked if WDFW would speak about budget. Jim Kujala asked to add the survey review to old business. Ed wanted to discuss the reward information under old business. Dave Croonquist wanted to discuss the rockfish enforcement, which may affect how WDFW responds to issues, under new business for this meeting or meetings thereafter.

New Business

Training needs and time frame - Chief Bruce Bjork passed out a sheet and summarization of hours and requirements (attached). Dave advised that there



are timeframes listed of 20-plus days of training time. Chief Bjork advised that there are 70% of commissioned personnel that have less than five years on at WDFW. Officers are required to obtain 720 hours at the Basic Law Enforcement Academy (BLEA) and 160 hours at WDFW's in-house academy on species identification, traps, nuisance wildlife, RCW Title 77, Title 69, and Title 79 forest products. Time is given on Title 9 regarding firearms. Each officer has four years to go through career development, including mandatory training. Officers receive 2000 hours of training from 0-4 years. A Fish and Wildlife Officer 2 will be fully trained.

The duration of the Field Training process (FTO) is for three months after in-house training. There are three phases. After passage of 3rd phase, the officer goes to independent status. If he or she does not fit within the timeframe, or fails a portion of the training, WDFW will terminate the officer. Roughly 10% do not make it.

Ray asked if there is a one-year probationary rule. Chief Bjork advised that there is probationary period. If the officer is a current state employee, there is only a six-month probationary period. Officers are hired in a temporary status until they have met the minimum qualifications.

There is mandatory training for blood borne pathogen training, CPR, defensive tactics, and firearm training. That training equals 52 hours for every officer, every year. Yearly in-service training is an additional 24 to 40 hours. Homeland security training was required this year in order to apply for special grants. Mandated training includes racial profiling, sexual harassment, ethics statute, every three years. The Criminal Justice Training Commission (CJTC) requires 24 hours of training per year. Some is done over the Internet, 28-day detachment meetings, or during defensive tactics/firearms training.

George advised that there were too many training situations and that time spent should be dedicated to enforcement activity. Chief Bjork advises that at the time George was employed with WDFW, there were district meetings. Holly Ledgerwood suggests that as a teacher there are training situations that are necessary. Is being an accredited agency contributing to those training requirements? Chief Bjork advised that they were. Any conveyance requires training, i.e. boating, vehicles, PFDs with L&I, snowmobiles, ATVs, etc. If training is not provided and a situation occurs, WDFW is held responsible. All existing officers are going through vessel training – which is a one-time training – and Emergency Vehicle Operator's Course (EVOC) training.

In-service will not be provided centrally in 2009. There is a \$30,000 direct expense for providing in-service training which does not include employee time.

Ed asked of what percentage training comes up with civil court claims. Chief Bjork advised every single claim. Pat Hatchel suggested that their training is



very close to WDFW's requirement, except the in-house. Travel time is not an issue because as a city police department, accessibility is always there. However, the exception for WDFW is that training takes officer time to travel to and from.

Holly asked if there are videoconference capabilities. Chief Bjork suggested that WDFW is looking into this, especially with the Internet and video conferencing calls currently occurring at WDFW. Ray suggested that we might want to table this issue at next meeting. Josh Pearson advised that they just approved the training issue and made it another priority.

It was asked in the group that if WDFW is understaffed, should the agency not be looking at what's required and what's not required? Chief Bjork advised that there is a training committee and these discussions will be brought forward to them for determination.

Public Correspondence to EAC - Dave received a letter from Ed Wickersham regarding officers patrolling the Columbia River. Dave advised that the night fishing on the commercial side should not continue, but other topics are management quotas, enforcement, operation of boats at night, etc. Ed advised that the agency should be responding and that the letter should not be handled through this committee. Ray gave the letter to Chief Bjork for WDFW to address.

Antler Collection & Increase in Fines - Bob Holtfreter advised that a recent article in the Yakima paper should be part of a discussion within this committee. Bob asked if the fine meets the violation. In other words, is it profitable to violate the law in order to take the antlers? Capt. Rich Mann spoke to the issue and identified that this is primarily an issue in Regions 3 and 5. Capt. Mann said that this is more of a trespass issue and to deal with harassment of elk.

Upcoming Law Enforcement Issues as Identified by Staff - Chief Bjork talked about the revenue forecast and that it has changed. There is still a \$2.5 billion dollar deficit; agency activity with Wildlife Fund will be in a \$1.5 to \$2 million range. George asked if there was a WAC that said it could not go into a deficit. Chief Bjork and Ed believed that went away. Chief Bjork suggested that there are some planned savings in order to make the first portion of payroll. Two million dollars is what needs to be saved. That is prorated by program, and represents 48% of WDFW's budget. Enforcement will need to save around \$350K. There are three officer positions vacant and those will stay vacant. Chief Bjork advised that mileage restrictions are not an option to reduce fuel costs. Ed asked if staff could attend a meeting to discuss this issue. Chief Bjork advised that if there are no changes in fee structures, or other activities, then WDFW must find other savings. Ed advised that his constituency is not open to any proposal that suggests increasing fees. WDFW and other natural resource agencies receive 1.37% from the general fund. George advised that WDFW has never been successful in moving money over from the General Fund. George



advised that all specialized WDFW license plate money goes into a restricted Wildlife account, unless it is specifically necessary. This a viable option to discuss.

A question was asked about license sales contributing to the shortfall. It was discussed whether or not hunting and fishing licenses will increase, but consensus was that with decreasing salmon seasons along with a decrease in licensed hunters will only add to that deficit. Ed advised that people he knows on budget committees in legislative groups have indicated that the state budget shortfall could be up to \$3 billion. George suggested that those issues would be increasing. Chief Bjork advised that WDFW makes the recommendations on where to add/increase and the Commission/Director makes those decisions.

Bob asked about our officer retention rate. There are eighteen officers that are eligible to retire, with two retirements in July and August. Jim asked if Enforcement is looking at those situations as reduction for the budget shortfall. Chief Bjork advised that they are part of the equation.

(New item added) Rockfish Enforcement – Dave advised that the department has defined a timeline for rockfish management since salmon fishers are catching those rockfish too. The recovery proposal is for changes to be made to salmon fishing. Enforcement efforts would increase, impacting field enforcement, availability, and time. Marine Protection Area (MPA) proposals are going to be reviewed; they are too broad and erroneous for commercial and recreational fishers.

Joint Meeting in Fall - Ray suggested that we coordinate with the Fish and Wildlife Commission meeting in Ellensburg. Dave suggested that the chair/vice chair meet to discuss enforcement issues with all of those members. Chief Bjork advised that the Commission has expressed interest that this committee gives a report. Ed suggested that maybe a few folks could attend a committee meeting from the Commission. Dave suggested that in order to have commission members attend; the committee needs to change meeting dates. Dave suggested it would be beneficial for all committee members to get together to discuss some options.

LUNCH

Old Business

Tribal Hunting – Chief Bjork had identified that Puget Sound tribes are in a negotiation process regarding take on private lands/large industrial timber tracts, and an effort to gain equal access for non-tribal and tribal members. If there is owner permission, there is no conflict. Absent conflict, tribes believe that if they negotiate with private landowners, they can provide subsistence/ceremonial hunting. Chief Bjork advised that is not that the state's position. One agreement



has already been drawn up for the Medicine Creek treaty boundary lines. There were some discussions with the Point Elliot tribes. The Tulalip and Muckleshoot tribes have not had discussions. Ed suggested that the Chehalis tribe is trying to gain recognition, but it will not happen. It is possible the Cowlitz will follow the same suit. Bob asked if they could follow their own rules or laws. Chief Bjork advised that they would have to follow tribal regulations, including on private property.

Outfitter Statute – Dave asked if Enforcement was going to take the committee's recommendations to the Commission enforcement sub-committee or if it was the responsibility of this committee. Chief Bjork spoke with the Deputy Director and the Enforcement sub-committee of the Commission regarding the fine and fee structure. Chief Bjork advised that this was a request of the agency on both sides. Both are anticipating a product from this committee. Dave advised that not much has been placed on paper. Dave also advised that he does not know the direction to take and needs to know exactly what WDFW is looking at. The concept is to be placed on paper outlining the areas to address, proposed legislative language, and a recommendation on how this process should work.

George advised the group that this issue was brought up at the committee before and that no one was interested at the WWC. Ed had conversations with larger hunting guides and Legislative House members are split on the issue. If they do receive, there is the expectation that they'll get first dibs on tags and permits. Research shows that other states have such laws. George did not feel that this was major issue of this committee considering the friction that it may receive, especially since the agency is going to have major issues of funding.

Dave advised that the guide licensing issues are effective in Oregon. Dave also thinks that WDFW should not be licensing guide/outfitters; it should instead be the responsibility of the Department of Licensing. Chief Bjork suggested that we look at this guide situation and license suspension. Wildlife Program staff are not in favor of licensing hunting guides. In other states, hunting guides then get special privileges. The Commission would receive those requests, and they are not in favor of that. If guides are not paying, but are benefiting from the resource, then there should be WDFW-imposed regulations in addition to their normal business license.

Committee members are hearing from other states that there is no consumer protection for guiding for hunting and there have been scenarios of mistreatment, or unfair business practices. The Commission would like to hear recommendations from this group, not WDFW. Dave suggested that if there is an advertisement, then there must be a way to check, but there is nothing in Washington. Ed suggested that smaller recommendations should be made to see how they are received. The state has the statutory authority to adopt rules on sturgeon. Chief Bjork stated that the WAC would have to be changed.



Ray said that those individuals that provide service must provide sales tax to Department of Revenue (DOR). If this is the case, then hunting guide needs to be there as well. Ed suggested that the Legislature has directed the DOR to pursue these individuals.

Holly explained that in other states the guide misrepresents themselves and there is no recourse for the customer. Dave suggested that some states do allow recourse. Ed suggested that going the direction of game fish as suggested earlier might be a good idea. As well, what are the laws and what are the holes from the agency so this group can take the next step? Ray also suggested that maybe the Enforcement sub-committee of the Commission and WDFW answer those questions. John asks if the Better Business Bureau can come into these situations. It was explained that as long as there is license from DOR, then it's possible that they may fall into this category. However, DOR does not check on individual licenses in regards to their activity.

License Suspension – This would require statutory action. Once again, how does staff want to approach this? This could involve situations of two violations and a level of suspension. WDFW has so many violations each year, unless its 1st degree then it is automatic revocation. The idea is that we'll need to develop something looking at other states, but there's been no movement. Six of seven have a points system; others have a tiered approach. Elk closed season has automatic two-year suspension; if within two years, there is a lifetime revocation. There are three in ten years, and two big game violations have a five-year suspension. George asked what are WDFW's questions in regards to the current system. Chief Bjork said that we've not really discussed what to do, either point system or tiered approach. Group discussion suggests that this issue is much bigger and we'll need to identify exactly what issues should be addressed. What works? What doesn't work? Provide an executive summary to the group. Three years ago, legislation was proposed to increase license suspensions, so there's information that could be provided via a matrix to this group.

(New item) Survey Results – Jim spoke to the group that there are some concerns in some of the data, such as age and number of folks that responded. Jim advised of those that had a license, only 1% responded. What was the purpose of a voluntary survey? Those that were spoken to did not know about the survey. Josh stated that it was on the Web site. Jim explained that yes it was, but there was concern that it did not affect/reach everyone that it was intended for. It was suggested in the group that a random survey could be done in the next three years instead. Chief Bjork advised that there was zero dollars spent, so cost was a big factor taken into consideration the small percentage that provided a response. Could it be re-directed? Yes, but considering there was a zero cost, improvements or additions may add a cost. George asked where the questions came from? Helps to look at questions beforehand so you don't already know what has been asked. Select a 1,000 folks that are licensed (the bigger the number, the more valid the survey). Bob has suggested that



assistance can be provided next time. John asked how many surveys you do before you get the results that you want. Ed suggests that if you don't get the information correctly the first time, then that information should be reviewed. Holly suggested that all citizens in Washington State are sampled.

Subcommittee Reports

Poaching rewards – Ed has identified a rewards fund between 10-12 organizations that would generate \$12-15K on an annual basis. WDFW rarely makes contacts. Only one organization showed interested in pooling information. There are resources available. No interest in leading to an arrest, but instead a conviction. WDFW could do a better job; looking to make a sale to increase funds. Ray asked that the list be provided to WDFW or the Web site. Ed suggested that this information could be published on the Web site using the group's information. Ray remembered the anonymity of the source because of possible repercussion and retribution. Ed did advise that some groups do not want to be identified. Crime Stoppers was identified as a process that ensures no one is identified. **Ed and Jim will follow up and contact these individual groups to see if there's a new program that can be developed like Crime Stoppers that will assist with game violations.**

Conclusion

Scheduling of the next meeting –The next meeting will be held in person. Chief Bjork requested that next year that group try using a video conference. The group agreed to meet again in Ellensburg on October 4, 2008). Dave suggested that we look at training. George would like to look at training activities, as well as providing a report.

Requested Action Items:

- *Letter of commendation to Officer Jon Jeschke's family.*
- *Report from Ed Owens and Jim Kujala re: Crime Stoppers or similar programs that may provide information that would assist with developing a new game violations reporting system.*

Topics for Future Discussion:

- *Boating Safety*
- *Guides/Outfitters*
- *Points System and License Suspension*
- *Training Activities*

Next meeting: *Saturday, October 4, 2008, from 1000-1500, at the Ellensburg Quality Inn. The agenda will be sent out before the meeting with information on topics for discussion.*

