



**WDFW Enforcement Program Advisory Committee**  
**November 15<sup>th</sup>, 2014**  
**0930-1500**  
**Hal Holmes Community Center, Ellensburg, WA**

Members in Attendance:	
Dave Ruffin, Vice-chair	Martha Jordan, Vice-chair, Westside
Bill Green	Don Gulliford
Andrew Hamilton	Robin Hickok
Bob Holtfreter	Ed Scullywest
Hal Mahnke	Ron McDonald
Lyle Cabe	
WDFW Staff:	
Steve Crown, Chief	Mike Cenci, Deputy Chief
Mike Hobbs, Deputy Chief	Chris Anderson, Captain, Region 2
Rich Mann, Captain, Region 3	Alan Myers, Captain, Region 4
Murray Schlenker, Captain, Region 5 & 6	Sean Carrell, Information Technology
Members Absent:	
Dave Croonquist, Chair	Dan Hornfelt
Pat Lowe	Anna Maria Marchionne
Tony Messineo	Tom Weathers
Kyle Winton	

**Vice Chair Dave Ruffin convened meeting at 0935**

**[March 22nd, 2014 Meeting Minutes Reviewed and Approved](#)**

**Introductions**

Vice Chair Dave Ruffin begun opening introductions at 0935. Minutes reviewed from March 22<sup>nd</sup>, 2014. Motion moved to approve the meeting minutes. Vice Chair Ruffin asked if there any additional topics that needed to be added to the agenda.

*Duplicate Tags:*

Vice Chair Ruffin identified that the group should discuss duplicate tags as this is a big issue. Don Gulliford advised that in Oregon, you must sign an affidavit. Deputy Chief Mike Cenci advised that any decision would have to go through the Fish & Wildlife

Commission. Wildlife Management may have an issue as this is a revenue generator. There's a stakeholder involvement and public process. Vice Chair Ruffin advised that the group should wait for the data to come back from Enforcement. Captain Chris Anderson advised that this was a problem a few years ago with Wildlife. Ron McDonald asked how the data is extracted. Sean Carrell advised that the data request goes through the IT Service Desk and will take some time. Should be ready in a week or so. Chief Steve Crown advised that those duplicate tags should show harvest data for GMU's that individuals say that they are hunting. It was identified that this may help identify where the problems exist to focus enforcement or WAC change to make it harder to get a duplicate tag. Captain Rich Mann advised that in those duplicate tag cases, the persons have have history. Last several years and typically those people are doing the same every year. Vice Chair Ruffin advised that is why we want five years' worth of data. Captain Anderson advised that there are some Commissioners that are anxious to see some changes. Gulliford asked what other states do. Vice Chair Ruffin advised that other states do not allow duplicate tags after the season starts. Chief Crown advised that if you purchase a duplicate tag, you also get a duplicate license. **Action item: Data on last five years of duplicate tags and time of purchase of the tags.**

*WAC re-write:*

Vice Chair Ruffin asked on the status of the WAC re-write the program has been working on. Chief Crown advised that the program is looking at around April for everything to be completed. Enforcement will then go through statutes and determine enforceability. Lists have already been started; some on fair chase. Chief Crown asked if Deputy Chief Cenci wanted to share with the group the policy issues on crab fisheries. Deputy Chief Cenci advised that stats on crab fisher documented nine percent of folks did not record their crab. Questionable that nine percent is a valid number or not. The Tribes offered a number. There was 13,000 lbs. of undocumented catch. Twenty-three tribal fishers failed to account for over 60,000 lbs. of crab. Deputy Chief Cenci went to the co-managers' meeting. Identified a summary of what Enforcement had seen and how difficult it is to manage the numbers on the tribal side of resource. Might have better catch accounting with joint resource crab checkers. Broken communication with Law Enforcement. Big concerns over the crab fishery. If we know what the baseline is, we can make changes. We have made some progress. Enforcement is heavily involved and connected with the policy decisions.

## **New Business**

### *1.) Snohomish County & statewide prosecutions*

Chief Crown briefed the EAG on statewide prosecutions and filing of charges. Violation of law, filing with bail amount and check to court. Filing as misdemeanors. No collaboration with WDFW. King 5 did a piece and asked why WDFW was not charging folks. Sit down with the prosecutor. Enforcement would meet with them to discuss. Chief Crown advised that this is replicated across other counties. Fish and Wildlife crimes are lower than other crimes. Early discussion with Snohomish County Prosecutor Mark Roe to expand list. Use of super form with affidavits, file with prosecutor's office. Enforcement will put together a list for their review. Enforcement would use those

misdemeanors sparingly. September 26<sup>th</sup> that list was sent to the prosecutor. Search warrants were big. Very difficult if you have to charge under an infraction. Delayed responses. Courtesy response was that there were no resources. Not going to move on that list. From the meeting, tribes also wanted to get involved. Mark Roe asked to meet with enforcement to discuss list. No resolution anytime soon. Captain Mann had contact with Yakima Herald Republic regarding the same issues in Yakima. Chief Crown advised Spokane County agreed to take those cases; some benefit of the King 5 news piece. Vice Chair Jordan advised that her conservation group is raising the issue amongst its users. Folks are not happy; higher level discussion regarding budgetary and need for the protection of wildlife resources. Ecoterrorism makes more money than hunting in some communities. Vice Chair Jordan advised that she feels hamstrung. Need to talk to these folks. Chief Crown advised that there's a delicate issue around EAG members discussing this issue; private citizens is OK. Captain Mann advised that Kittitas County severity is a stipulated order for one or two years. There's really never a filing. Yakima has a stay of proceedings. Charge fine amount or restitution comes back to WDFW. Gulliford advised that a broader base is necessary. Looks bad for law enforcement if nothing is done when not active. Deputy Chief Cenci advised that the other issue is bail forfeitures have been removed. Hamilton advised Washington Association of Prosecuting Attorneys and prosecutors office need to work with Washington Association of Sheriff's & Police Chiefs. Great avenue to pursue these issues. Robin Hickok advised back when he was in law enforcement on the westside shellfish was a big issue. Local beach where clams were harvested; many citations were issued. All paid the fine. Vice Chair Jordan asked if super form is unique. Chief Crown advised that it is not. Deputy Chief Cenci advised that King County does not have this issue. Hal Mahnke asked if the Attorney General could be used. Deputy Chief Cenci advised that the Attorney General could take a case. Will not take small cases. This is routine stuff. Vice Chair Ruffin advised that they force the prosecutor. All chiefs/sheriffs bought off. None of the areas were being filed. Deputy Chief Cenci advised that there's nothing prohibiting us to write citations. Force the county.

### *2.) Fair Chase (w/Power Point)*

Chief Crown gave a Power Point on fair chase. Attended Western Association of Fish & Wildlife Agencies conference. Fair chase was topic and the use of drones. Laser knocks. Smart rifles. Our WAC addresses aircraft. Enforcement will need to change. Arizona rules. Is it a good use of technology? Chief Crown advised that you must have the general public's perception. Is it fair to be able to use this during hunting? Develop a committee to discuss fair chase. Vice Chair Ruffin advised that money is no object in regard to guides. Harassment of wildlife is an issue. Used to harass geese. Gulliford advised that this is not fair chase. Vice Chair Jordan gave an example of roboduck. Bill Green said there are other cheaper options. Ron McDonald asked about the "Tag and Track" firearm. Chief Crown advised that it is made by Tracking Point. Currently not illegal. It was mentioned by someone in the group that could be something available for the disabled hunters.

### *3.) RISS.net*

Deputy Chief Cenci briefed the EAG on communications with RISS.net. Communicate with other jurisdictions. Wildlife trafficking third only to guns and drugs. Good relationship with feds. No platform available yet to exchange information. Enforcement

has had tri state operations before with Oregon and California. SIU founded RISS.net. Regional information sharing system and keep one another from stepping on the toes of another jurisdiction. NRCC gives us the ability to develop a sub room with channels for communicating. Forms, documents, picture and video libraries.

#### 4.) I-594 implications

Deputy Chief Mike Hobbs gave a Power Point on the implications of I-594. Extends criminal and public safety background checks. Gun transfers require background checks. Adds new language to chapter 9 regarding licensed dealers. Dealer would facilitate background check. Gulliford asked what that fee will be. Deputy Chief Hobbs advised that is unknown, as well as who will charge either the buyer or the seller. No cost identified; could be anything. Has to go through a federal firearms dealer. Deputy Chief Hobbs advised that the new background check does not include between family members or include antiques. Also does not apply to immediate threats. Does not apply to law enforcement. Gulliford asked if there a time limit on temporary exchanges. Deputy Chief Hobbs said no. AG needs to determine with formal opinion. Deputy Chief Hobbs advised that much still needs to be worked out. Transfer to a person for hunting; individual must have ability to possess. Bob Holtfreter asked what are the penalties. Deputy Chief Hobbs advised that it was a gross misdemeanor. Deputy Chief Hobbs advised that a range must be governed. Mahnke asked if the gun must be registered. Deputy Chief Hobbs advised no, but that could be next down the road. Hunter Ed will remain unaffected. Live fire drills. Captain Mann advised that this applies to under 18. If over 18 and in a HE class, it does not. Chief Crown advised that there are a number of questions that still need to be addressed. Cannot touch the initiative for several years.

Action item: answers to i-594 questions to group.

### Old Business

#### 1.) Budget Update

WDFW receives money from several sources. Federal funding, Mitchell act and state general fund. Inflationary costs go up. The Mitchell Act is a huge funding source. Represents roughly \$6.4 million dollars. State general fund is reducing; goes to hatchery and enforcement. Wildlife side of the house is pr dollars. The talk of gun control has spiked gun sales and ammo sales. The hunting side is doing ok. There was discussion of doing a slight fee increase on the fishing side. A dollar increase for a combo license; two dollar increase for all residents on fishing licenses. The increase in fees means an increase in 2.5 fts for enforcement. In 1993, there were 163 officers. Right now, there's 140. With a state pop increasing by 20% you've also seen a 20% reduction in officers. Hopefully the fee increase will help with mandated activities. Gulliford asked what it costs for an officer. Chief Crown advised that costs with salaries, benefits, and equipment it is about \$125K per year per officer. When you add in indirect, that adds another \$20K. You need the best of the best. Additionally, it takes time to get an officer up to speed. If the agency is not selective, you will have law suits. When vacancies are sitting, OFM looks at those as cuts. Chief Crown advised WDFW backed away from shellfish excise tax. Still need public outreach with that. How do we address. If we can, we could add another ten officers and actually meet our mandates. Deputy Chief Cenci advised that we are trying to find other ways so we're not competing for the same

funding resources. Shellfish growers are not accustomed to excise taxes. USDA mandates WDFW to meet the minimum inspections; 12,000 hours per year. As the general fund declines, some would argue that's where you would fund those mandates. Cannot continue for free. Benefit to the public, therefore those entities should pay for that. Hunters and fishers are paying to pick up the bill. Chief Crown advised that the state of Missouri has a tax. Place a tax on the minimums of hiking shoes or a fly rod, there's a green tax. Missouri charges 1% and percentage goes up with price. You can use those funds for not just enforcement, but other activities as well. Deputy Chief Cenci advised that the burden of paying for what a fish and wildlife officer does every day should not have to be the burden of hunters/fishers. Director's office has advised that we'll come out of the 15% reduction just fine. Captain Mann advised that Martha really identified it well. Some of the other groups really don't have an idea about the load WDFW takes on. Vice Chair Jordan advised that there is a disconnect between ENF and the non-consumptive users. Folks are not getting it.

## *2.) Legislative*

Chief Crown advised that there's a hunting under the influence change. There's already a law. Clarity on ailments of the elements of the offense. Implied consent on the BAC tests. Penalty associated with hunter under the influence, one year suspension for first time. The 2<sup>nd</sup> time and it is a ten year suspension. Officers recognize that there's a problem trying to get a case submitted through the prosecutor. So far the eleven cases for HUI, five declined right off the bat. Two were not guilty. One case is pending and one is amended to disorderly conduct; one bail forfeiture, and one case that was thrown out. The charter guide bill is the third time going through. Enforcement is participating also in the drone discussions and Joanna Eide is reviewing this issue in the governor's meetings. Draft bill was introduced last year, but the legislature went with the ACLU's version. This session it looks like there might be a good mix of balances for the bill. Deputy Chief Cenci advised that on the charter guide piece there are items to fix some things. There's interest that guides are more identifiable. Behavior and business actions are not identified. There's some suggested language out there on charter operators and guides more accountable. Conduct liability, closed area, or possession type violation, then those folks will be held accountable.

Vice Chair Ruffin advised that there is an issue with people hunting elk that are claiming to be hunting bear/cougar. Language said that if hunting during deer or elk season for bear, you still must have a deer/elk tag. Vice Chair Jordan asked if this is Commission item. Chief Crown advised yes and then all of sudden it went away. Captain Murray Schlenker advised that it comes down to opportunity. It didn't work when he raised the issue some time ago in his region. Captain Anderson advised that this had been a long time tool, but there weren't any issues at the time of opportunity. Vice Chair Ruffin advised that the cougar/bear tag is cheaper. Captain Schlenker advised that on special elk permits there would be several bear/cougar hunters trying to party hunt and kill that animal. Vice Chair Jordan advised that she would be willing to bring that up with the Commission. Captain Mann advised that cougar season is open almost year round and bear hunting has a liberal season as well. Captain Anderson advised that the biologists are already discussing seasons. There has been discussion about having a rules

committee in the agency. Cross program leadership has not worked. Vice Chair Ruffin asked if there was any interest in the EAG to work on this. Vice Chair Jordan advised she'd like to know what some of the other projects are. Vice Chair Ruffin advised that this will be the next discussion.

*Project Discussion:*

Chief Crown asked where there's interest. What are some projects folks are interested working on. Vice Chair Ruffin advised if were not taking on tasks, what's the purpose of having the group. Vice Chair Ruffin advised that it is up to WDFW. McDonald advised that he would like to look at those projects; what are some things that he can do. Social networks where he lives to get out the word. Chief Crown advised that as we meet, this is a statewide group. Hard to get into projects; those should be better served on regional basis. Annual meeting with all of us or neighboring subject matter experts. Vice Chair Jordan advised that in several counties we're having issues with regards to prosecutors doing their job. Deputy Chief Hobbs asked how many folks have ridden with a fish and wildlife officer. Three folks raised their hands. Vice Chair Jordan asked who to reach out to. Captain Myers advised that there are times right in the middle of seasons when it would be hard. Possibly the best way to reach out is to the Captain. Vice Chair Jordan asked that we get a committee together for fair chase. Holtfreter advised that he would like to do that. **Action item: Ruffin advised that the best is to have WDFW identified priorities.** Three items on the list. Hamilton advised that we would need to know personnel at WDFW that would be responsible for subject matter. Chief Crown advised that WDFW would pull together the data and priority lists on projects. Those can be self-appointments for those that want to get together in groups and those folks could set meetings. If there's a need to meet, then the group can. Additionally, if there's a need to have agency staff, then that can be coordinated so discussions can occur to finish projects.

**Conclusion**

***Highlighted Action Items:***

- *Data on tags for last 5 years*
- *Answers to questions on I-594*
- *WDFW identified project priorities*

***Topics for Future Discussion:***

- *RMS and ROIP*
- *KBD Program*
- *WTH/AVL Mapping*
- *Update on Wildlife Crime Stoppers*
- *Presentation on scope of problems on WDFW land use*
- *Update on Social Media (Facebook & YouTube)*

*Next meeting: WDFW staff advised that a future meeting will be sometime in May. Members will want to meet as part of those sub group discussions beforehand.*