

Joint Patrol of Bordering Waters by Texas Game Wardens and Louisiana Wildlife and Fisheries Agents

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Abstract: Many states share bordering waters often separated by an invisible state line. This line is viewed by some residents of each state as a way to elude the game wardens of each respective state. As law enforcement officers, we had to terminate pursuit or watch helplessly as a drunken boater or game law violator operated just across the line on the opposite bank. Lack of law enforcement created a dangerous environment for all persons. Frustration among law enforcement officers and lawlessness among boaters are often the case on bordering waters. Such was the case on the bordering waters of southeast Texas and southwest Louisiana prior to May 1996, when Operation Border-safe was instituted. The method used by Texas and Louisiana will be explained, followed by a description of the planning process, and a discussion pertaining to the important role that the press and public relations plays in the success of such a project. A report of the results of the operation are included for the years 1996 and 1997.

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The border area separating Texas and Louisiana consists of the Sabine River which empties into the Sabine Lake, a saltwater bay which in turn flows into the Gulf of Mexico. These bordering waters consist of freshwater, saltwater, and marine environments that provide freshwater fishing, saltwater fishing, and commercial fishing such as shrimping and crabbing. One might say it is a relative sportsman's paradise with Big Game hunting, salt marshes, and opportunities for recreational boating. A sportsman's paradise, indeed, except that these waters are divided by a political boundary separating the states of Louisiana and Texas. The 2 states operated under unique circumstances: 2 sets of laws, 2 sets of courts, and 2 sets of enforcement agencies each with their own operational procedures and guidelines.

Users of the bordering waters exploited these bordering waters by using the line as a defense to prosecution. They avoided apprehension because game wardens could not pursue them into the other state for lack of jurisdiction. Recreational boaters eluded Boating While Intoxicated (BWI) detection patrols simply by crossing over to the opposite bank.

Large stretches of river remained relatively lawless since apprehension by game wardens of either state was easily eluded. General lawlessness became the rule rather than the exception on these dangerous waters. The game wardens of Texas and the Louisiana would patrol these waters and apprehend suspects in their respective states, but were often easily eluded by users of the "line defense." The people of both states, especially those in Orange and Jefferson counties of Texas and Calcasieu and Cameron parishes of Louisiana, were especially affected. To utilize the public waterways on this border was indeed a risk to one's health.

In March 1996, staff at the District Office in Beaumont, Texas, took a hard look at this dilemma. Several questions came to light. Why is it that we could not bring order to these waters? Was it reluctance? Was it lack of communication between ourselves and our counterparts in Lake Charles, Louisiana? Was it because we assumed our counterparts to be reluctant or uncooperative? Did they not have the same dilemma as we did in Texas?

The answer to all of these questions was needed. Law enforcement officers needed a common solution to a joint problem. Our laws and courts were markedly different. At joint meetings, we asked among ourselves what did we do that was almost identical in terms of enforcement? The answer was the enforcement of the Federal Water Safety Act. Texas and Louisiana have water safety laws that are almost identical, following as they do the guidelines of the federal act. Our solution to this problem was to approach enforcement of the water safety laws on our bordering waters in joint patrols, teaming officers from each state in patrol boats along a common border: a Texas game warden and a Louisiana wildlife and fisheries agent together. By employing this simple solution, the team transformed to a formidable force.

A violator, for example, could be followed into either state and be processed by an officer from that state. If a violator claimed that he was on the state line, he was presented with a choice; take a citation from Texas or Louisiana. The discussion examines Operation Bordersafe and the planning and logistics behind such an operation. The details and protocol involved in planning, implementing, and following up of this bi-state effort are discussed, as well as the pros and cons of the operation.

In order to plan an operation of this kind, one must first be acutely aware that it involves a lot of legwork and homework. The planning of Operation Bordersafe involved the need to establish a working line of communications with Louisiana wildlife and fisheries agents in Lake Charles. We accomplished this with relative ease. The camaraderie and common cause shared by all game wardens made the establishment of communications between us a reality.

Louisiana officials hosted a preliminary meeting in Lake Charles, Louisiana. We discussed the differences and similarities in 2 operational procedures, statutes, and authority. Officers from both agencies agreed that we had a common problem. We agreed to team up and "sew up" the gaping loophole existing on the bordering waters. Joint patrols would provide no avenue of escape for a violator on bordering waters.

The next step was to inventory all our collective assets, that is, personnel, vehicles, boats, communications capabilities, and mobile intoxilizer availability. Once

these were gathered by the planning staff which was comprised of the author and Lt. Glen Angelle, District 5c; Lt. Keith Bell, District 5a; and Lt. Larry Breaux, District 5b out of the Region 5 headquarters in Lake Charles, Louisiana. The group then came up with a mission statement which outlined our objectives:

1. Enforce the Water Safety Act on the Sabine River.
2. Detect and apprehend boaters under the influence of alcohol.
3. Promote water safety on the bordering waters by allowing the boating public to see uniformed officers of both states working together on a common goal.
4. Establish state enforcement presence in remote stretches of the Sabine River.
5. Increase compliance of law in general on the Sabine River.

The group considered an operational plan of action as the next item to be considered. We had to plan for a staging area mutually accessible to both states. We then addressed the "who, what, when, where, and how" factors in writing. All involved personnel then knew to whom to report, what each was supposed to do and bring, when they were to be there and return, where they were to patrol, and how they were to conduct themselves so far as protocol, communications, accountability, and reporting. The group drafted operational orders. The operation staff agreed to the plan we listed. All boat ramps on both sides were listed and marked on maps. These ramps were placed such that the officers in each operational sector was close to an extraction point.

We divided the bordering waters into operational sectors, each to be manned by warden/agent teams. The teams were placed so that everyone had a backup should trouble flare from an adjoining sector. The patrol boats were from both states, manned by Louisiana agents in their green uniforms and Texas wardens in tan.

Inadequate radio communication presented a problem because Louisiana operates on a UHF or ultra hi-band frequency and Texas on a VHF frequency of hi-band 106-165. We remedied this by having mobile and walkie talkie radios from each state present on each vessel. Louisiana Wildlife and Fisheries Region V had a law enforcement communications operator on duty as did the Texas Parks and Wildlife Department. Communication arrangements were made with Orange County, Texas, sheriffs and the Calcasieu Parish, Louisiana, sheriff for backup communications.

Arrangements must be made for transport of prisoners of both sides of the border. This is where cooperation between states' game wardens and local law enforcement pays off. Each respective sheriff's office agreed to transport prisoners to each respective county/parish jail for booking. Arrangements were made for an operator to be available at the jails during the duration of the operation. Louisiana Wildlife and Fisheries Law Enforcement has the extraordinary capability of a mobile intoxilizer van that could be sent to any extraction point on the Louisiana side at a moment's notice. This, combined with their strike team solely dedicated to BWI cases, made Louisiana a valuable asset to the operation. This author also notes that the van and strike team concept is an innovative, forward-thinking tool that is a model for all conservation agencies to consider.

The availability of hospitals, emergency services, and a contingency plan were necessary in an operation such as this. Arrangements were made in advance through contact with hospitals and emergency services to facilitate the rapid aid and care of any of our officers who may be injured during the course of the operation.

The overall plan included a comprehensive list of all judges and court jurisdictions in each state by zone. This enabled the crews to have the pertinent information needed to write citations, no matter where they patrolled along the zones of operation, and provided the information needed at a glance to file in local courts of proper jurisdiction. Louisiana agents filed charges in the courts of Louisiana, and Texas game wardens filed charges in the courts of Texas.

As planners, we included bonded wrecker services in the event that we arrested a violator. The wrecker service's job was to tow a violator's vehicle or vessel. We made arrangements on both sides to have a bonded wrecker service available during the course of the operation. The issue of a bonded wrecker cannot be over emphasized as a bonded service is insured for any damage sustained by the vehicle or vessel after it has been inventoried and released by the arresting officer.

The operational plan called for roving units to be available for rapid response to any sector along the operational front. These are reserve units that can re-enforce any sector at a moment's notice. The rovers also included a contingent of deputy sheriffs from Orange County, Texas, who were available to re-enforce as needed.

Patrol vehicles and vessels do break down. We made provisions to have a mechanic on scene as a support maintenance unit. The mechanic would provide expertise, on-site repair if possible, and be available to transport fuel where needed. A Texas Parks and Wildlife technician provided this service.

The operational plan also included air support. This was possible due to Louisiana Wildlife Fisheries law enforcement float plane. The air support provided officers on the water with intelligence provided by a spotter. The officers were able to coordinate apprehension with more efficiency while the plane was airborne. The aircraft also provided supervisors with a comprehensive view of the operations in order to make adjustments as needed.

As with any other operation, lodging the officers during the course of a 2-day operation was a major factor. Lodging arrangements were made near the border in order to reduce travel time and to facilitate rapid response.

The designated hours of operation for the project were from 1000 to 2200 hours on each date. Following the end of each date, the officers reported their contact data to each respective state's supervisors. This data was compiled at the end of the operation by each state to evaluate the effort. The data collected included numbers of water safety cases, cases of other categories, BWI cases, and contraband cases (Tables 1, 2). We also included outboards seized, number of people checked, number of boating assists, and the number of unusual cases (Tables 1, 2).

The planning of Operation Bordersafe involved much thought and preparation. This effort paid off with joint operations that were conducted by our states on bordering waters without incident.

Table 1. Data associated with Operation Bordersafe I 10–13 May 1996.

	Texas	Louisiana	Totals
Boating citations	63	26	89
Alcohol citations	4		4
Public intoxication	2		2
Sports fishing cases	5	10	15
Commercial fishing cases	4		4
Boating while intoxicated	4		4
Pursuits and evading	2		2
Cases processed			114
People contacted			2,441

A crucial factor that one must consider in any endeavor involving 2 states is public opinion. The long term benefit of an operation such as Bordersafe is to impress upon the people of each state that the agencies were united in a common effort for a common goal. The public must be made to realize that you are working together to provide them with a safe, family oriented environment upon which to enjoy outdoor recreation. The non-compliant public must also be impressed that the bordering waters are no longer theirs alone but belong to all of the constituents of each respective state. The public must be made aware that steps will be taken to apprehend law breakers on either side of the “invisible line,” as both state’s enforcement officers are operating jointly towards that goal.

The public support that was received by Texas Parks and Wildlife game wardens and Louisiana Wildlife and Fisheries agents was overwhelming. The courts and politicians were in full support of the effort. It was a win-win situation. The officers of each state were no longer in a position of helplessness as it pertained to bordering water. Officers empowered by the joint patrols received encouragement from the public.

Law enforcement staff from both states made an effort to promote this operation in the media. Indeed, the media played a large part in the promotion of this project and to publicize the operation in a positive light. The planners of the operation contacted news stations of both states. Media personnel were brought along on coordinated ride-alongs, allowed to interview citizens on the scene, and to report on live television. The coordination of our operation and the press made the project the top

Table 2. Data associated with Operation Bordersafe II 24–25 May 1997.

	Totals
People contacted	2,045
Boats checked	888
Boating assists	37
Boating citations	80
Game law citations	31
Boating while intoxicated cases	4
Contraband outboards seized	2
Federal law violations	1

topic of the month. We must not forget the important role the press plays in the promotion of our efforts. The manner in which the media was managed during the Gulf War was used in Operation Bordersafe resulting in positive story after positive story.

Joint operations of bordering waters should be followed up by routine joint patrols of bordering waters in order to reinforce the message that was conveyed by the original large operations. This is achieved primarily by the officers themselves in adjacent counties/parishes.

Operation Bordersafe was followed up by joint patrols on Sabine Lake that targeted commercial crab fishermen who were using the "state line defense" to avoid buying licenses from the bordering states. Upon contact, these fishermen always claimed that they were in Louisiana if checked by Texas officers and vice-versa. Game wardens were often flustered as the state line was marked by latitude/longitudes and by the time Global Positioning Systems (GPS) were employed, drift often created an unenforceable situation. Having the warden/agent teams employed on the state line, the fishermen would have an appropriate officer to review the appropriate license and gear of the fisherman's choice a "lose-lose" situation for a violator. Joint patrols of bordering waters are an effective law enforcement tool for any border state enforcement dilemma.

States with common bordering waters may consider the following: Is such a project feasible on your bordering waters? Is there a need for joint patrols by your respective states? Do you have a lawless stretch of bordering waters? Do your bordering states have similar laws and do they allow each other's officers to operate in adjacent counties or parishes on common borders? Do you want to put in the effort needed to make such a project a reality on your border?

If so, then this project may be considered as a reference. The Law Enforcement officer supervisor must be willing to work hard and be prepared to counter the naysayers that wish to discourage you. You must have an open line of communication with your counterparts in the other state. You must define your common goals and your common problems, set any differences aside, and work together to benefit the people of both states. For those that say it cannot be done because the other states will not go for it, I say, examine Texas and Louisiana, 2 bordering states with common problems. Our officers handle the same folks on each respective side of the border, only now, we handle them together.

Operation Bordersafe is a reflection of the great cooperation that exists between Louisiana Wildlife and Fisheries and the Texas Parks and Wildlife Department law enforcement divisions. It is a project that came to fruition when game wardens took the extra steps necessary to make things happen on a one to one basis. A joint patrol by adjoining state officers is effective and by this author's experience of great benefit to the people, resources, and of the officers themselves. It was a pleasure to plan it and watch it work. Such an effort can work for your respective states and can be applied in many ways. Only you can make it happen.