

CONSERVATION OR CRIMINOLOGY OR EVOLUTION OF A WILDLIFE OFFICER

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It is said that history will repeat itself, and that a civilization that refuses to learn from past mistakes is destined to repeat those same mistakes.

I have tried to find some historical correlation with our present day wildlife officer and the game warden of the past, and, for some reason, the one character who continues to creep into the scene is a guy running around in the woods wearing a pair of long-handled underwear for trousers and a maternity blouse as a shirt. He carries the imposing title of Sheriff of Nottingham and spends about as much time trying to apprehend ole Robin the Hood in acts of petty and grand larceny as he does in protecting the wildlife resources of the King's forest.

Actually, the separation of enforcement of civil law and conservation law is really a relatively new concept and a system pretty well limited to the continental United States. But then the United States is also unique in the fact that the wildlife resources belong to the people.

If you have a real interest in conservation history and can find the time during your off-duty hours, I would like to suggest you obtain a copy of the Commission's Quarter Century Progress Report, or a copy of the booklet, "Game, Gunners and Biology," or even a copy of the little publication, "Conservation Tracks," and involve yourself in a little research into the natural resource and wildlife conservation history of your state.

I have been kicking around the Florida woods and marshes for a goodly number of years and I can name a number of individuals who carried the title of game warden. Matter of fact, I can name a number of individuals who fitted the description of game warden even after the Commission officially changed the title from game warden to wildlife officer. Perhaps it is best to pause here and ask each of you to project your own mental conception of a game warden.

Mine happens to be the image of an individual lurking behind a cypress tree with a badge pinned to his khaki shirt, a big cowboy type hat, a black jack in the hip pocket of his blue jeans and he is watching some kids catch undersized bass. It's not a pretty or pleasant image, and, fortunately, it is one which employees of this Commission have managed to overcome.

I can, however, identify this individual, for I knew him well. There was a colorful description of this individual that was frequently used to describe him as a highly effective enforcer of the game laws and this was, "He's a doggone good game warden and would arrest his mother if she caught undersized bass."

As late as the early 50's, the criteria for quality in wildlife law enforcement was "catch the sunny beaches." It wasn't until the mid and late 50's that this syndrome began to change and some emphasis on enforcement quality was directed to the individual who would take a little time to discuss the concepts of conservation with his mother and hopefully create an understanding for the reason of a size limit on bass and even more hopefully prevent her from going out and catching the little undersized buggers.

Let's digress for a few minutes and steal a few words penned over the years by some of the wildlife conservation leaders of Florida that sort of document the evolution of the game warden.

On March 15, 1941, W. Lamar Gammon, chairman of the Commission, made the following comments. "The wildlife of Florida stands at the crossroads. A decisive point has come, or will come, in the history of our wildlife resource. An understanding of the problems of wildlife conservation is essential to finding a solution to these problems."

He added, "The once plentiful, apparently, inexhaustible wildlife is now seen, even by the most casual observer, to be feeling the effects of constant hunting today, as well as the thoughtless, careless, wanton slaughter of years gone by."

During the formative years of the Game and Fresh Water Fish Commission, major emphasis was placed on the enforcement of hunting and fishing rules, and approximately 80 percent of the operational budget was used for law enforcement. At the end of

the first 2 years, the new Commission was represented by a field force of 90 officers and 5 chief conservation officers.

The Commission, as reported in the biennial ending in December 1946, continued to express great concern for the future of Florida's wildlife in view of the decreasing wilderness areas and increasing hunting pressure. This report stated, "If the number of hunters continues to increase, it is going to be necessary to reduce the seasons during which game may be taken and also make a reduction in the day's bag of each species taken if we are going to continue to have an adequate supply of game on hand."

This fear proved to be unfounded; however, concern for the State's wildlife did pay dividends. In 1976, 30 years later, the seasons for game animals and birds are essentially the same as in 1946, and the hunter's bag limit has not been reduced, but increased. This, in spite of the continuing advance of civilization, reduction of wilderness areas and increase in hunting pressure.

While major emphasis of wildlife conservation continued to be placed on the enforcement of regulations, the Commission in 1946 began to search for answers that would provide solutions to the problems concerning the future of wildlife and fresh water fishing in Florida. In January 1946, the Commission employed its first wildlife biologist. During the same period, the first fisheries biologist was employed.

Thus, in 1946, 31 years ago and 3 years after the Constitutional Amendment became effective, the Commission began to seek ways and means of managing the State's wildlife population.

The Commission also began to recognize the need for a better informed sportsman. It adopted a policy of requesting sportsmen's organizations to attend Commission meetings and to discuss the hunting and fishing regulations and conservation programs.

Conservation education and public relations had not been developed to any extent, and law enforcement, while a major activity, was not what it should have been.

By the end of 1948, the Commission had a total of 291 employees, 228 of whom were enforcement officers; 40 biologists, technicians or specialists in other fields; and 23 who were general administrative employees or laborers.

Staff expansion was not the only sign of progress during this period. A few of the more prominent steps taken by the Commission were the setting up of a fisheries investigation program, the establishment of a game survey and game restoration projects and a land acquisition program, the creation of a Division of Information and Education, purchase of uniforms for enforcement officers, purchase of vehicles and other equipment for the Law Enforcement branch, formulating a plan whereby cattlemen in southwestern Florida would open their rangelands to hunters, the setting up of a two-way radio communication system for enforcement officers, and an annual school for law enforcement officers.

Consolidated and viewed in all their details, these and other activities represent a terrific expansion program and one of the most progressive steps in wildlife conservation since passage of the Constitutional Amendment in 1942.

Much of the growth, strength, and progress of the Commission was due to the active support of sportsmen's clubs in the state. It was the Florida Wildlife Federation that first recommended uniforming of the enforcement officers, uniform hunting seasons and a study of the state's pollution problems. Through the activity of the Federation, more and more sportsmen found that a united front is the strongest weapon against the forces that would exploit Florida's wildlife resources.

In a 1947-48 report, O. Earle Frye, Jr., Chief Wildlife Biologist, made the following statement. "There is a gradual, almost reluctant, acceptance of a realistic viewpoint toward wildlife management; a realization that wildlife management is not simply restocking with game, employment of additional game wardens, or setting of hunting seasons, but instead is a tremendous complexity of biological, human, and economic relationships." He added, "Florida has definitely passed through the 'save what we have left,' politically run phase of wildlife management and is headed toward a progressive program that will result in an increased harvestable surplus of game for the Florida sportsman."

While the steps taken in the fields of wildlife and fish management were great, similar progress was made in the field of wildlife law enforcement. The caliber of the enforcement personnel was improved along with the size of the force. The deadwood was, in most instances, weeded out of the ranks. The report for this period indicates that many men were found unqualified to perform the duties of an enforcement officer and had received their jobs solely through political patronage and made no effort to earn the salaries they received. Such men were discharged and replaced by younger men who not only knew the woods, but possessed the intelligence and integrity necessary to do a good job of enforcing the wildlife rules and regulations. To attract such men, salaries were raised. In January 1947, the average salary for enforcement officers was \$123 a month. At the end of 1948, it was \$166.

In 1947, the Commission supplied each officer with 2 attractive dress uniforms, complete with insignia. Officers continued to work in the field without uniforms; however, they were required to be properly uniformed when appearing in court and other public functions.

As the size of the enforcement arm increased and its efficiency improved, arrests and convictions of game law violations mounted. During this time, a total of 5347 persons were apprehended for game and fish law violations with some 91 percent convicted in court.

In 1947, two 3-day schools were held for officers in Tallahassee and Orlando. In 1948, a 6-day course for officers was held at the University of Florida. There was a change in the enforcement officer and, for the first time, wildlife law enforcement officers began to take on the appearance of a professional conservationist rather than the old concept of game warden. Along with the new face of enforcement, the title of the officers was changed from Conservation Officer to Wildlife Officer and provisions established for annual vacation, off-duty days and weekly reports of activity.

The sportsman and average citizen of Florida had never before been exposed to such a wealth of conservation information as was created during 1947-48, and, as a result, there was a growing support for a sound progressive wildlife conservation program. William W. Weeks, the first I & E director, said, "The benefits of conservation are somewhat intangible; consequently, the people are prone to take the matter lightly. The problem of correcting this general attitude rests largely on Commission personnel."

In March 1949, the Commission suffered a temporary setback with the death of the Commission Director Ben C. Morgan; however, the programs of wildlife conservation initiated during 1947-48 under his directorship continued.

The Game and Fresh Water Fish Commission made tremendous and progressive strides in the field of wildlife law enforcement during 1949-50. Foremost of these was the establishment of a training school for all officers. Realizing that the average person eligible for employment as a wildlife officer lacked professional training in game and fish management and in law enforcement work, the Commission established its own training program. The functions and program of the school ran for a rigid 28-day curriculum and included all phases of wildlife and fish management and wildlife law enforcement.

The Commission also established a standard for new wildlife officers and any applicant was required to possess certain qualifications. New officers were required to be between the ages of 21 and 45 years at the time of employment, a high school graduate, able to pass a rigid physical examination and a person of good character and good standing in his community of residence. All eligible applicants were given a competitive examination and vacancies were filled from among eligible applicants.

A statewide uniform salary and expense schedule was established. All wildlife officers were paid \$200 per month for the first year's work. At the end of 1 year, if services were satisfactory, they were given a 5 percent increase and each year thereafter a 2 percent increase until reaching a maximum pay of \$235 per month.

The growing public interest in the problems of wildlife conservation resulted in the tripling of requests for conservation information programs. Most of the requests sought qualified speakers, and the Commission initiated a program of encouraging employees to appear before such groups. As a result, many of the officers assisted greatly in keeping

the public informed of the Commission programs designed to protect and improve the State's wildlife heritage.

One may consider that the Game and Fresh Water Fish Commission was a fledgling organization at its beginning in 1943, needing a few years in which to find its wings. The first few years were spent in getting prepared to accomplish the never-ending task of conserving, protecting and restoring the game and fish resources of Florida. By the end of 1950, the flight feathers of Florida's wildlife conservation program had formed, and, by the end of 1952, the Commission was in full flight with conservation programs and practices.

There was a growing trend to classify the enforcement officer as a professional in the field of wildlife conservation and to seek out the best qualified men as protective wildlife officers.

McLaughlin said in the 1951-52 report, "The success of law enforcement is usually determined by the will of the people. Enforcement has been difficult in some areas, due to lack of interest or misunderstanding by the people. If the conservation program is to be a successful one which will result in increased game and fish resources, the Game Commission must have the help of the people throughout the entire state."

The Florida Game and Fresh Water Fish Commission realized that only through the cooperation of an informed and interested public could game law violators be controlled and wildlife resources used wisely. One of the major responsibilities handed the wildlife officer in 1952 was that of carrying on an education program designed to reduce violations.

To acquaint the wildlife officer with his new obligations, the Commission conducted an extensive training school for both the old and new officers. The school included a review and a series of refresher courses on all phases of wildlife conservation and Commission activity. The Florida wildlife officer, by the end of 1952, was considered one of the most progressive, best informed wildlife enforcement officers of the nation.

The metamorphosis was complete. The game warden has shed his image and finally emerged as a complete conservation individual wearing the name and badge of a Florida Wildlife Officer. The new wildlife officer continued to place emphasis on enforcement of wildlife law but was heavily involved in and had a pretty thorough understanding of natural resource management practices. The new wildlife officer was the liaison between the Commission and the sportsman.

Did this evolution of the game warden pay off? You can bet your sweet bippy it did. While the proof of the pudding is in the eating, the proof of public support can best be measured at the poll, and a significant measure was taken in the general election of 1960 when the people of Florida defeated—by a 2 to 1 majority—a proposal to alter the constitutional status of the Commission. Without a sound organization and a most solid public support, this accomplishment would not have happened.

Thus far, we have seen the evolution of the wildlife officer, and I wish I could end this presentation at this point. However, the web is not woven and the tale is not told. By virtue of my position with the Game and Fish Commission, my concern for the wildlife resources of this state and nation and my strong belief in the words of Abraham Lincoln: "Public sentiment is everything. With public sentiment, nothing can fail; without it, nothing can succeed," I must return to my opening comment that those who fail to learn from history are destined to repeat it.

Is the evolution completed? I think not, for I see what I must view as a regression from the well-rounded conservation enforcement officer of the late 50's and 60's who was involved in all natural resource conservation activities. I see an individual who, without question, is much better qualified in enforcing the laws of the state of Florida, an individual who is trained not as a conservation officer but an enforcement officer, an individual who is neat, nifty, spit and polish, and highly qualified to read a violator his rights, place him in chains and transport him to the local pokey, and then spend the next several days completing the reams of paper work that is required of each arrest. I don't see the wildlife officer of yesterday who was involved in helping the wildlife manager, aiding the fishery biologist, talking with the local sportsmen group, or telling little children about the mysteries and wonders of the wilderness world. I don't see the

conservation communication on which this Commission was founded and on which it grew.

It's human nature to place the blame on something or someone else, and, if there is indeed a guilty party in this change in the concept of conservation enforcement, I guess it could be directed toward intervention of and involvement with the Federal government. Part of the blame I would place at the feet of Police Standards training which places emphasis on enforcement of criminal rather than conservation law. Yes, I know this is a standard that must be met. I would place a part of the blame at the feet of the mandatory 40 hr. work week that prevents a wildlife officer from doing anything that might be job related other than his regular 8 hr. assigned duty. (I personally think this is a cop-out.) I must place a part of the blame on our own Commission training program which is limited in areas of natural resource conservation instructions, and I must plead guilty and place a part of the blame on my own operational failure for internal communication.

You want to say it isn't so; I wish I could. Let me refer to the evaluation report submitted by National Wildlife Federation study team and lift a few quotations. Please keep in mind that these observations were made by outsiders looking into the operations of the Commission, and they were made last year, not 30 years ago.

"Many problems facing the Commission result from weak exchanges between the Commission and the broad public constituency it serves. Every employee of the Commission should share in the responsibility to improve the liaison with the public, the legislature and state agencies. Communications with citizen groups should be two-way to avoid misunderstandings and the appearance of being unresponsive."

"Orientation and in-service training programs are inadequate. They are not commensurate with the funds and effort required to build and maintain an efficient organization. The lengthy law enforcement course given to some personnel at considerable cost in time and money incorporated features of little use of wildlife programs. While adequate for law enforcement work, the course does not cover the entire mission of the Commission. Emphasis should be placed in developing skills that enable employees to adequately respond to Commission programs and workloads."

"Relationships with all private wildlife and environmental organizations are not as strong and cooperative as they might be. In some respects, the contacts are antagonistic. Working relationships should be improved with environmental protection agencies, and liaison should be strengthened with all private conservation organizations. Without public understanding and support, attainment of objectives is extremely difficult if not impossible."

"The Division of Law Enforcement is fulfilling an important and necessary function with zeal and distinction, but the function is over-emphasized in time, money, and personnel in relation to other functions of the Commission. The Commission has insufficient monetary support to finance a statewide army of specialists to carry out each singular function of the agency."

"A preventative rather than a punitive type of law enforcement should be the ultimate goal of the Commission. The wildlife officer should have a myriad variety of tasks, one of which should be law enforcement."

"The wildlife officer should be involved in public contact and public relations work."

"Attempts should be made to encourage increased cooperative participation by field enforcement personnel in wildlife research and management projects."

"The concern over lack of unity appeared to be related primarily to the enforcement as a group rather than encompassing other entities."

"There are times in the year when law enforcement is of primary concern. These may include the opening of seasons when a great number of hunters and fishermen are afield and in need of supervision. There are other times when the collection of adequate data upon which to base recommendations for seasons and bag limits is desirable and should have the highest priority."

"It is self-evident that an exceptionally well-trained employee capable of handling

law enforcement, survey of fish and wildlife, and public relations is the most effective and efficient way to solve many of the current program and communication problems of the Commission.”

“If violations can be curtailed and controlled through adequate communications, a favorable image will result. This is preventative rather than punitive enforcement and should be the goal.”

“An air of cooperativeness between all personnel of all operations will insure high morale. An effective organization and goodwill from the harvester, whether consumptive or nonconsumptive, of wildlife will result.”

From an overall public relation point of view, the comments were not favorable but let us take a look at some of the response to the comments.

“Florida has 37 percent law enforcement manpower—other states, 50 to 75 percent. As compared to other states in the southeast, Florida is low in the wildlife enforcement area.”

“We agree that every employee of the Commission should share in the responsibility to improve the liaison with the public.”

“Without question, the image of the employee of this Commission has changed from that of a friend of the hunter and fisherman and mentor of wildlife to one of a specialist in a specialized endeavor.”

“The basic field man who contacts most of the people is also the basic representative of this Commission and the basic image builder of this Commission; however, this employee does not receive basic training or indoctrination in areas of public relations other than at a minimum level, sometimes no more than three hours of a total training program. It is suggested that all future training schools include a minimum of twenty classroom hours for training in areas of public relations and hunter and firearm safety.”

“Employees armed with knowledge and techniques of public relations will be of little value unless applied at field levels.”

“The problems encountered through a 40 hr. work week are recognized and, while there may be some ramifications regarding off-duty participation in public relations programs, this avenue should be explored if we ever hope to be able to maintain the vital basic communication contact.”

“It is recognized that each employee has a primary duty and job to perform; however, conservation communications and public relations should be included in that basic job description.”

“A dedicated effort should be made to improve relationship with organized conservation clubs and to establish an avenue for communications.”

“Law enforcement cannot be a part-time job to be spliced between other duties—it is not as simple as it used to be.”

“We agree that current training programs are inadequate. The problem is money. If we receive adequate funds, then we will improve our in-service training program.”

“We believe there is room for improvement with regard to conservation organizations and we intend to take steps to improve this area of relationship.”

“Law enforcement has the unique opportunity to take fish and wildlife programs to the people in an understandable fashion. Law enforcement provides the interested citizens of the state tangible actions and results.”

“Law enforcement often serves as the public’s gauge of Commission success. Be this right or wrong—it is fact. The public can readily grasp the number of arrests, persons checked and the deterrent effect of enforcement patrol. Perhaps this is more easily understood by the public because law enforcement is more visible.”

“Law enforcement’s ability to relate or exhibit effectiveness to the public should not be underestimated.”

“It is noted that no member of the evaluation team had experience, expertise or full working knowledge of the field of wildlife law enforcement and thus basically was not qualified to evaluate the specialized field.”

I know full well that I will probably be accused of taking some of these quotations out

of context, and, before anyone starts chunking chunks, I will frankly admit that I did. However, I did it for the purpose of illustrating a need and the response to that need.

It just might be, whether we want to admit it or not, that the evolutionary process of the game warden has about gone full circle and there may well be a need for a return to the broad conservation concept exhibited by the wildlife officers of the late 1950's and 1960's. I would be the last person to say let's de-emphasize wildlife law enforcement, for I started a quarter century conservation career as a wildlife officer. On the other hand, I will be among the first to say there is a crying need for the wildlife enforcement officer to become involved in the conservation communication concept.

Now, I know there is a feeling that wildlife law enforcement is a full-time job and there is not time for other activities. In fact, there just isn't enough of you to do the job that needs to be done.

I also know that, according to all reports and records, the 40 hr. work week has proved to be an effective and efficient manner of operation, and has actually resulted in an increase in the number of arrests. I know you are quite proud of the fact that, during the past year, 233 wildlife officers made a total of 9,000 arrests which resulted in a 92 percent conviction rate. There may be a lesson here if we look for it. Back in 1947 which was still essentially in the days of the game warden and prior to the emergence of the well-rounded wildlife officer, the report indicates a total of 5357 persons were arrested with a 91 percent conviction rate. Thirty years ago, our guys were not busting folks for boating safety violations, narcotics, littering or other infractions of the civil law.

I will agree that arrest figures do provide tangible evidence of effectiveness and they are impressive. My big question, and I don't really expect an immediate answer, do number of arrests serve as evidence of effectiveness of punitive law enforcement? If so, then perhaps we have slipped back into the "catch the sunny beaches" syndrome. What about preventative law enforcement? Are we involved and fail to report our success because it is an intangible substance or because we have no success to report? I guess only you can answer.

Within the next few months, we will probably have the opportunity to once again measure the intangible result of our conservation communication efforts. There is a strong and dedicated effort to once again change the constitutional structure of the Game and Fish Commission. If this effort is successful in obtaining legislation that will require a constitutional amendment and a vote of the public, will we again have the support and the strength of the sportsman and the citizen to defend our conservation record? Do we have the support we did in 1941 or, better yet, in 1960? The support is out there, but we have to go get it.