

Once reliable information has been secured, plans for apprehending the law violator often can be worked out. Frequently this requires several enforcement officers, and we find that local officers are most efficient because they know the terrain and the people.

The second essential element is the two-way radio. All of our officers have radio-equipped cars. In addition, small portable units are used widely in planned law enforcement activities at night. These sets are low power (1½ watts), so they transmit well for only a mile or two, which means that other agents must be nearby. The low-power radio must be used because transmission from more powerful sets, such as those used in automobiles, often is picked up on the short-wave bands of conventional home radios.

The agent nearest the site where the illegal hunting attempt is expected usually is alone and hidden where he can observe a large area. Trees, farm-houses, and fire towers are commonly used as observation posts. Each agent is equipped with a 7 x 50 binocular with coated lenses and these are helpful. The coated lenses render them usable until it is quite dark.

We have several times attempted to use the airplane in night enforcement work, but results have been poor. Visibility is negligible, the plane is noisy, and low altitude night flying is hazardous.

Dummy deer have been used to draw the poachers fire, but again with poor results. In Missouri, the only charge that can be brought against an individual who shoots at a dummy deer is that of "attempting to take," and few prosecutors will press such a charge under those circumstances. The use of dummies also may be considered entrapment, and hence be illegal.

One of our most effective devices for combating illegal deer hunting, though not specifically night hunting, has been the precipitin test, used to identify meat or blood. We also find the microscopic identification of hair helpful. We use these techniques routinely where there may be any question as to the identity of the animals remains, with excellent results. No one now gets away with claiming that venison is goat meat; we can prove its identity.

To sum up, illegal hunting of deer at night can be effectively combated where trained game law enforcement officers, working in counties they know, have reliable local help, the aid of radio communication, and the benefit of good planning.

## METHODS USED IN COMBATING NIGHT DEER HUNTING IN NORTH CAROLINA

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The limited powers concerning arrest, search and seizure vested in the North Carolina Wildlife Protectors by the General Statutes of North Carolina has of necessity dictated the methods used in combating night deer hunting. The 1957 Session of the General Assembly enacted legislation which broadened the power of arrest delegated to the Wildlife Protectors by amending the statutes to read: ". . . to arrest without warrant any person committing a violation of this article within his presence or upon reasonable grounds to believe that such a person is committing a violation of this article in his presence." This amendment makes it possible for Wildlife Protectors to secure needed evidence which is permissible in our courts, and in turn opens new avenues for methods that might be applied in combating night deer hunting. The lack of laws permitting Wildlife Protectors to use red lights and sirens in game law enforcement work is also a limiting factor in the effectiveness of our Wildlife Protectors in apprehending night hunting violators.

The statutes make it a violation to use an artificial light on any highway or in any field, woodland or forest. Flashing lights more than 50 feet from a highway on a public or private driveway when such acts are accompanied by

the possession of firearms or bow and arrow during the hours between sunset and sunrise, shall constitute prima facie evidence of a violation of the provisions of this article. Laws have been enacted by our General Assembly stipulating fines for these violations at a minimum of \$250.00 with the authority to confiscate articles being used, such as guns, lights, and automobiles. These articles are held until the trial, and are disposed of at the discretion of the judge.

The equipment being used by the Protectors at the present time in these operations consists of two-way radio equipped automobiles, handi-talkies, and an airplane.

After reviewing the limitations placed upon our enforcement officers as a result of the statutes, or for lack of the necessary powers in the statutes, it becomes increasingly important to plan the operations so that as much evidence as is necessary for conviction may be secured at the time the violators are apprehended. When plans are made, there are two considerations. First, it must be determined whether or not the aid of an airplane will be available. Secondly, if it is determined that an airplane will not be available, the pattern of the operation changes entirely.

We shall discuss first the operation without the aid of the airplane. It must be predetermined what area is most likely to produce a profitable operation for the violator and in what particular area he might find his quarry. The supervisor of the operation, after determining the most likely spot in which the deer might be at that particular time, makes arrangements to use radio-equipped automobiles to cover each end of the road where such violations are most likely to occur. After the outlets have been sufficiently covered by vehicles equipped with two-way radios, individual protectors are placed at strategic points in the area between the location of the cars. These men are equipped with handi-talkie radios and are on foot. They place themselves in such a position that they are able to observe the activities on this particular piece of road and at the same time not be mistaken for a deer and thereby place themselves in jeopardy. With this type of setup, it is usually possible for one of the protectors who is on foot to directly observe the violator in the act of shining his light as well as actually observe him taking a deer.

After the protector has observed the violation, he then notifies the cars which are standing by to attempt to block the exits that the violators might use in attempting to get away. Since our laws make no provisions for Wildlife Protectors to throw up roadblocks, it is often difficult to bring these cars to a halt, so that further examination might be made. In the majority of cases, however, by subjecting themselves to possible bodily injury, it is possible that the driver of the escape car can be enticed to stop by waving a flashlight in front of him. Quite often, if time is on our side, we can enlist the aid of the Highway Patrol in throwing up a roadblock to prevent these escapes. After having stopped the car, the problem of search faces the protector. Quite often, the owner will allow the search to be made, especially if he has no meat aboard. At other times, it may become necessary for the protector to search the car by force, in which case he must subject himself to the possibility of searching a vehicle without the proper authority. This type of operation makes it mandatory that the protector involved have a thorough knowledge of the area, so that too much time is not wasted in setting up where there is little likelihood of a violation taking place.

The second type of operation, which enlists the aid of an airplane, covers a much broader area and does not require such a thorough knowledge of a particular area. In this operation, the cars are stationed at strategic points throughout possibly a third of a county, and in some cases as wide an area as half of a county. The airplane is in touch with the ground force by a two-way radio and is equipped with parachute flares, which can be valuable in searching for man and beast at such time as a violation might occur in a field away from the car.

The use of the airplane in this type of work has proven to be most beneficial in that small lights can be detected as well as high-powered spotlights. Even on fairly dark nights, when the pilot and his observer's eyes have become accustomed to the conditions, roads, and fields are easily recognized and, where a violation is observed, it is a fairly simple matter to direct the cars in such a manner that they can converge upon the violator's car from the most desirable