

# AN INSIDE PERSPECTIVE OF COVERT WILDLIFE INVESTIGATIONS

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Many fish and wildlife association conference schedules during the past few years have addressed either the need or successes of covert investigation within wildlife law enforcement programs. As a matter of record, the Missouri Department of Conservation became initially interested in the development and operation of a covert investigation unit following presentations in 1969, 1971, and 1972 by Gerald Kirkpatrick of Pennsylvania, Billie Ballew of Oklahoma, and Alan LaMarche of Florida at Southeastern Association of Fish and Wildlife Agency meetings. Each of these speakers emphasized a need for specialized conservation enforcement programs capable of documenting and apprehending major or organized wildlife violations. It was recognized and stressed during these proceedings that the illegal take and commercialization of wildlife was responsible for major wildlife losses and that such violations were criminal acts that could often only be curtailed by investigative infiltration of suspected illegal activities. As a result of the models provided by these agencies, Missouri and several other states have developed similar covert investigation operations.

When Missouri began its covert investigation program in 1973-74, it was designed to respond to conservation agent field reports of major wildlife violations. The conservation agent is most directly involved in field patrol and investigation of observed or reported violations, and consequently is believed to be in the best position to recognize those suspects or groups that regularly elude apprehension when confronted with conventional methods of conservation law enforcement.

Revised reports are submitted annually by agents detailing suspected commercialization of fish or game within their districts as well as information regarding established violators that may be circumventing normal enforcement patrols. This system has permitted the special investigation unit to concentrate on specific individuals or groups that are all too often known to agents and require an excessive amount of local patrol or surveillance attention. The special investigation unit has been trained and equipped to document major violations or commercialization and effectively complements the standard enforcement function of conservation agents.

The covert investigation program has been well received in Missouri by Department administrators, courts and concerned resource users. During 6 years of operation, or through 1980, the program has been highly successful with completion of more than 200 separate investigations and citation of nearly 700 violations of conservation laws. While we are quite pleased with this success story, it closely parallels programs that have been developed and implemented by several other state wildlife agencies, and is described only briefly here to establish background for a survey recently conducted among investigators of the Missouri covert investigative unit.

It was determined rather quickly when Missouri began developing its covert investigation program that little information regarding this concept of wildlife enforcement existed beyond the experience of participating states. References regarding police infiltration of criminal activities involving victimless crimes and willing participants indicated that the observations of covert investigators participating in investigations of major wildlife violations would represent a valuable enforcement tool for both violation intelligence and containment procedures.

Covert investigators in Missouri are selected from the ranks of experienced conservation agents that receive specialized investigative training and eventual reassignment into agent uniform. The observations and conclusions obtained by such investigators during contacts with subjects suspected of involvement in major or commercial wildlife violations have been recognized as measurable and useful in development of improved methods for reduction of violations and wildlife losses. A survey was consequently designed and completed to review violation trends, enforcement methods, and analysis of suspect attributes conducive to wildlife violations that would benefit both agent patrols and continuing covert investigative operations. Survey participants were limited to 6 field investigators that had been directly associated with the covert investigation program since its inception, and included both current investigators and personnel that had returned to uniform agent assignments.

A 14-question survey was administered in standard research fashion to sample 3 basic areas of covert investigation observations. These areas included general covert observations, attributes of persons observed as participants in major wildlife violations, and recommended investigator responses to containment of continued major violation activities.

#### GENERAL COVERT OBSERVATIONS

- Question: ( 1) How do you classify the frequency level of major wildlife violations in Missouri?  
Response: 5 investigators ranked high - 1 as average
- Question: ( 2) What species of wildlife is most often involved in major wildlife violations?  
Response: Fish and turkey each ranked at 29%. Deer, small game, and other wildlife were each ranked at 14%.
- Question: ( 3) What do you consider as the principal cause of major wildlife violations?  
Response: 57% of violations were ranked as opportunistic. Remaining causes were equally ranked between subsistence, recreation, or as part of social activities. No investigator ranked profit or challenge as cause of violations.
- Question: ( 4) How would you classify the frequency of commercialization in major wildlife violations?  
Response: Evenly ranked between average and low.
- Question: ( 5) What species of wildlife is most often involved in commercialization?  
Response: Fish were ranked high at 56%. Deer and small game were equally ranked at 22%.

- Question: ( 6) What is the average price for the following species of wildlife?  
 Response: Deer - \$37.00 Rabbit - \$2.00  
 Squirrel - \$1.45 Fish (per lb.) - \$1.75
- Question: ( 7) Have you encountered sales of wildlife that you consider as organized commercialization?  
 Response: 4 investigators indicated yes - 2 no.

#### ATTRIBUTES OF VIOLATION PARTICIPANTS

- Question: ( 8) Participants involved in major wildlife violations generally: (area of species preference)  
 Response: 67% of participants indicated no species preference. 33% indicated species selection changed with seasons. No investigator indicated contact with violation participants that concentrated exclusively on 1 species of wildlife.
- Question: ( 9) Participants involved in major wildlife violations generally: (use of equipment)  
 Response: 36% used conventional hunting or fishing equipment and methods - 27% used specialized violation equipment - 18% used CB radios for communication - remaining 19% equally ranked between monitoring of enforcement communications and use of lookouts during violation activities.
- Question: (10) Participants involved in major wildlife violations are generally: (areas of condition and attitude)  
 Response: 45% of violation participants consume intoxicating beverages before, during or after violation activities. No investigator indicated that sobriety or nonalcoholic stimulants were elements of violation activity. 45% of violation participants were considered as belligerent or hostile regarding conservation laws or enforcement. 10% of participants violated because they enjoyed killing wildlife.
- Question: (11) Participants involved in major wildlife violations generally utilize any wildlife taken by:  
 Response: 60% gave to relatives or associates  
 30% consumed or used themselves  
 10% sold wildlife  
 No response was indicated for wanton waste
- Question: (12) Participants involved in major wildlife violations generally: (degree of knowledge of acts)

**Response:** 100% of violation participants frequently engaged in unlawful acts beyond wildlife violations, and were equally aware of wildlife laws that prohibited violation acts.  
No response was indicated regarding limitation of unlawful actions to wildlife violations or unawareness of wildlife laws prohibiting violation actions.

## RECOMMENDED INVESTIGATOR RESPONSE

**Question:** (13) What do you consider as the most effective response to reducing major wildlife violations?  
**Response:** 33% increased personnel for uniform patrol  
20% increased covert investigation  
20% improved public cooperation  
13% improved enforcement equipment  
7% improved conservation education  
7% publication of violation convictions

**Question:** (14) What action would most effectively reduce continued major wildlife violations?  
**Response:** 36% mandatory loss of hunting or fishing privileges  
36% confiscation of violation equipment  
18% increased penalties or confinement  
10% mandatory restitution for wildlife loss

## SUMMARY

Several conclusions can be drawn from each of the 3 basic areas covered in this survey of covert wildlife investigative observations. As expected, the general area of investigator observations confirmed that a high frequency level of major wildlife violations had been encountered by Missouri investigators. A diverse mix of wildlife species were reported as most frequently involved in major violations, with fish and turkey ranked ahead of deer and small game as the preferred targets of wildlife violators. The leading cause of major violations was clearly opportunistic rather than for either subsistence or profitable purposes. Consistent with this low ranking of profit seeking by wildlife violators, the frequency of wildlife commercialization was equally rated between average and low, with fish identified as the species most often involved in illegal commercialization. While a majority of investigators indicated they had encountered organized wildlife commercialization, the average prices observed in wildlife sales would indicate an absence of substantial profits in wildlife transactions.

In recording their observations of the attributes of persons involved in major wildlife violations, investigators indicated they had encountered no violators that concentrated upon 1 species of wildlife during violation activities. Most violators appeared willing to take any species of wildlife without expressing a particular species preference, and were also willing to modify their selection and take of wildlife species with changing seasons. Although the majority of major wildlife violators apparently used conventional hunting or fishing equipment and methods

for take of wildlife, significant numbers employed specialized equipment and methods in their violation actions and efforts to avoid detection or apprehension.

The survey of investigators confirmed that major wildlife violators almost uniformly consumed intoxicating beverages before, during or after violation activities, and expressed belligerency or hostility regarding conservation laws and enforcement. The majority of wildlife taken by persons involved in major violations was used by either giving it away to relatives or associates, or for personal use of the violator. The surveyed investigators unanimously agreed that participants in major wildlife violations frequently engaged in unlawful actions beyond wildlife violations, and were fully aware that in the instances of wildlife violations conservation laws prohibited such actions. Significant survey factors in this category were the absence of investigator observations regarding violators that limited their actions to wildlife violations or encounters with violators allegedly unaware of conservation laws.

In surveying the recommended responses of covert investigators in reducing major wildlife violations, it was not unexpected that increased personnel for uniform patrol was ranked first in that investigators originally served as conservation agents prior to investigative assignment, and generally return to that capacity following investigative duty. It is also indicative of Missouri investigative procedures dependent upon investigative information and field support by uniformed personnel, that covert investigators viewed increased patrol by conservation agents as more effective in reducing major wildlife violations than increased covert investigations. The importance of obtaining public cooperation in controlling violations and developing community attitudes for the reduction of continuing major wildlife violations was characterized by its ranking ahead of both improved enforcement equipment and conservation education.

While each category of recommended action for reducing major wildlife violations was accorded survey response, the mandatory loss of hunting or fishing privileges for violators and the confiscation of violation equipment clearly exceeded either increasing of penalties or restitution of wildlife losses.

This survey provided several surprises while confirming field reports of major wildlife violations in Missouri. While the covert investigation unit was initially developed with the expectation of encountering extensive commercialization of deer, the survey corroborates conviction records revealing that illegal fish sales have surpassed deer selling violations. Wildlife commercialization, while continuing to be a significant element of major violations, is neither as organized nor as profitable as conceived in early wildlife investigations. It may be logically assumed that 6 years of covert wildlife investigations, with substantial convictions and attendant publicity for completed prosecution of commercialization violations, represent new control factors in illegal Missouri wildlife commercialization.

The observed actions of participants involved in major violations appear to confirm that uniformed agent patrols must be supplemented by specialized wildlife investigations. The major wildlife violator deserves full-time investigative attention that can seldom be provided by uniformed agents with recognized equipment, rigid schedules, and a diverse range of conservation responsibilities. The final focus of the survey upon recommended response and action for the reduction of major wildlife violations indicate that a continued application of enforcement attention and public cooperation is desirable as well as ongoing review or modification of available legal penalties for the participants involved in major wildlife violations.

While the observations and conclusions recorded within this survey are the result of a small segment of conservation law enforcement in the Missouri Department of Conservation, they represent a comprehensive return by personnel with practical covert experience. In view of the relatively recent application of covert investigations to conservation law enforcement, the data obtained in the survey provide information on violation activities that are seldom afforded for research. Violator information and attributes relative to field enforcement procedures have been reviewed with Missouri conservation agents and applicable investigative trends have been incorporated into ongoing covert operations. Many observations and conclusions considered within survey findings were found to be consistent with existing objectives of Conservation Department enforcement and investigation programs. It is important that conservation law enforcement include the development and operation of programs for the containment of major wildlife violations. The documentation of all available information and its application to current enforcement patrol and specialized investigation represents one of the enforcement techniques that may be effectively applied to modern conservation law enforcement.