

Law Enforcement Session

The Wildlife Enforcement Association as a Wildlife Enforcement Tool

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Abstract: A depressed economic situation, coupled with an ever-increasing population, has resulted in a severe financial strain being placed on many state agencies in recent years. Because of a lack of funds, public service agencies have not expanded at the same pace as the population they serve. This problem is even more evident in southern states that have had to contend with a migration of northern industry to these less energy-sensitive areas. Employees accompanying this industry, added to the population expansion, have placed an additional burden on these so-called sun belt states. Wildlife agencies of the South are especially hard pressed because many state legislators consider them as only indirectly responsible for public safety. Wildlife enforcement and management compete for these less than adequate funds within the wildlife agencies. This combination of factors has resulted in many wildlife enforcement divisions waging a constant battle for adequate manpower and equipment. The Wildlife Enforcement Officer, or game warden, enjoys a high profile in the community in which he lives and works. Because he works both rural and urban areas, he soon becomes acquainted with perhaps more people than any other law enforcement officer. The longevity of his assignment in a county will determine the amount of support he garners, but few other officers will have more support than the local game warden. Although the game warden enjoys a wealth of support from landowners and sportsmen, the directors and department heads must make their request for funding and wildlife regulations without this local-level support because the legislative bodies view the commissioners and directors as representing a state agency, not the grass-roots support. It could be possible to make this support available to the heads of wildlife agencies through an organization which includes local residents as members.

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In the summer of 1979, 2 game wardens in Texas took their annual leave and traveled the state, meeting with other game wardens and visiting all the field offices of the Texas Parks and Wildlife Department. Their travels

also included a meeting with the executive director of the Texas Parks and Wildlife Department. They had an idea and sought support for that idea. They returned home with the consent but not necessarily the approval of the executive director to go forward with their plans. At their own time and expense, they wrote every game warden in the state requesting their approval of a game warden association. The response was tremendous and the Texas Game Warden Association had a beginning.

In late summer of that same year, 10 game wardens were semi-elected from the 10 law enforcement regions in the state and met in central Texas. The phrase semi-elected is used because at that time there were no by-laws and no elections had been held. It was a matter of someone attending as a regional representative for equal representation. The men traveled at their own expense and few were acquainted with their other representatives when they arrived at that first meeting. Although they were strangers in the beginning, they had a common bond. They were all game wardens, sharing a dedication and surprisingly similar political philosophy. At first, each man present was cautious about expressing his true feelings, but as the meeting progressed, they became comfortable with the situation because all shared the same line of thought. Their idea was an association, not for the purpose of collective bargaining but for the purpose of working with their employer to obtain the same goals. The association was to include friends and supporters of game wardens, not only for financial support but also to make the public a part of the game wardens' efforts. The 2-day meeting ended with officers being elected and by-laws written. The Texas Game Warden Association was now a reality and those first 10 men departed the meeting with enthusiasm.

Since its beginning in 1979, the Texas Game Warden Association has grown to a membership of approximately 5,000 members. This membership includes 90% of the Texas game wardens and 99% of the supervisory personnel in the Texas Parks and Wildlife Department, Law Enforcement Division. The advisory council includes state legislators and other influential people in the state.

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Discussion

Association Objectives

The objectives of the Association are: (1) to improve the well-being of its members and families, (2) to instill and strengthen comradeship among game wardens of Texas by dedicating the association to those game wardens who have given their lives in the performance of their duties, (3) to keep and preserve the wildlife resources of Texas so that future generations may enjoy

their natural birthright of ample hunting and fishing opportunities, and (4) to call upon the citizens of the state to take part in the protection of the wildlife resources by making them a part of the game wardens' efforts.

Accomplishments

Benefits may be obtained by members of a professional organization made up of labor working with management, rather than demanding from it.

Equalization of Salaries.—In 1979, the salary structure of enforcement personnel in the Texas Parks and Wildlife Department had a patched quilt pattern of disparity. Because of promotion practices of past administrations, game wardens working side-by-side and doing equal duties were making salaries which differed as much as \$200/month. In many instances, those with years of service were making less than others with less active time. This situation had created a morale problem and reduced incentive for doing a good job. The staff and commissioners of the Texas Parks and Wildlife department were aware of the situation, but it was not an in-house problem. Texas operates under a classification system and legislation is required to change the classification. The problem could only be corrected by legislative action.

Officers of the newly formed Texas Game Warden Association requested and received permission to appear before the Texas Parks and Wildlife Commission. Armed with charts displaying the salary problems, they asked the Commission to request equalizations for game wardens in Texas. Receiving assurances that the Commission would request the necessary legislation to correct the situation, the game wardens returned to the field and made their plans. Committees were appointed, and in twos and threes, they called upon state legislators across the state. Copies of the chart were left with every legislator contacted. Few state legislators went into session that spring without being aware of the salary problems of Texas Game Wardens. The necessary legislation passed and since the easiest way to correct the problem was to raise everyone's salary, Texas Game Wardens came away with a substantial pay increase.

The Texas Game Warden Association can actually claim only partial credit for this accomplishment. The diligent efforts of the executive director, his staff, and the Texas Parks and Wildlife Commissioners must be credited for most of it; however, the association can accept credit for initiating the effort.

Renewed Comradeship.—The Association has instilled a renewed comradeship among the game wardens of Texas by its dedication to those that have been killed in the performance of their duties.

For example, Committees of the association searched records and obtained badge numbers and details of all those killed in Texas enforcing wildlife regulations. Badges have been ordered for those men and where possible, pictures obtained. Plans for a memorial for Parks and Wildlife headquarters

and the Texas Game Warden Academy are currently underway to display the badges, pictures, and details of their death. Articles have been written and are being written for publication in the Texas Game Warden Magazine concerning the death of each warden killed in the line of duty. Plaques containing the names of all graduates of the Texas Game Warden Academy have been presented to the academy. Small gold crosses were placed by the names of all those now deceased. The plaques were paid for by the game wardens of Texas with each making a contribution. The expense for those now deceased was picked up by other members of their graduating class from the academy. Comradship made this possible.

Legislative Action.—The preservation of wildlife resources can only be possible through proper management and enforcement. An association can assist in this effort by supporting good wildlife regulations and working for the defeat of others. In this area, the associate member can be a valuable asset. By presenting the facts concerning pending regulations to friends and supporters of game wardens, much grass roots support can be generated to help pass needed legislation. The Texas Game Warden Association has also employed a legislative lobbyist for this purpose. The lobbyist constantly monitors the bills that are introduced into legislation and brings anything affecting wildlife to the attention of the association and state agency.

For example, wildlife regulations of Texas are a nightmare of disparity, as the Texas Parks and Wildlife has only partial regulatory authority on a statewide basis. Special interest groups have pushed through a quagmire of regulations. In 1983, a bill entitled the Wildlife Conservation Act of 1983 was introduced that would give the state agency state-wide regulatory authority. Strong opposition exists in certain areas to this much-needed legislation. The Texas Parks and Wildlife Commissioners requested and received the endorsement of the Texas Game Warden Association. The endorsement was used in newspaper campaigns by supporters of the bill and letters were written to all state legislators advising them of the endorsement. An article was published in the Texas Game Warden Magazine supporting the question at issue. The Association lobbyist set to work on the matter. As of this writing, the Texas legislature is still in session, but because of the movement underway at this time, it is the general consensus that the bill will pass.

Other legislation the association has assisted in passing include the Operation Game Thief program, enhanced penalties, and an improved night hunting law.

Grassroots Support for Enforcement.—There is a stigma among much of the populace today that reporting a game violation is a dishonorable act. Many people that will readily report other infractions of the law to authorities will ignore game violations. By enlisting these people as members of an association dedicated to wildlife enforcement, many will assume the responsibility of that membership. The Texas Game Warden Association provides its associate members with window decals, bumper stickers, and a directory of

all the Game Wardens in Texas. The directory provides information for contacting a game warden anywhere in the state. The responsibility of membership in a game warden association is felt very strongly by some.

A game warden and the author of this paper enlisted a local rancher as a member of the association. The rancher bought signs provided by the association and proudly displayed them at the gates of his property. Soon after, the game warden received an anonymous phone call that an employee of the above-mentioned ranch had killed 2 deer out of season. Investigating the report, the warden confirmed the violation, arrested the subject, and confiscated the deer. Unable to pay the fine imposed, the violator called his employer to bail him out of jail. The employer, a member of the Texas Game Warden Association, not only did not pay the fine, but also fired the man, and evicted him and his family from the ranch. An extreme case, of course, but an example of how strongly some people feel about their membership in the Game Warden Association.

Urban Support.—Texas is unique in that most of the land is private. The question may be raised as to whether support can be generated from urban areas. The Texas Game Warden Association enjoys the support from perhaps as many urban sportsmen as rural landowners. For example, a sportsman, taking his son on a deer hunt, topped a hill just as some men shot into a flock of wild turkeys crossing the road. The sportsman was from an urban area and knew no one in the area of the violation, but he was a member of the Texas Game Warden Association. As he passed their vehicle, he noted the license number of the violators. He found a pay phone, and used the directory provided him by the Association to contact the warden in that area and report the violation. The local game warden enlisted the aid of local highway patrol and sheriff's officers and the violators were soon in custody, still in possession of the illegal turkeys. This incident is offered as evidence that urban support can be as valuable as rural.

Assistance in Hiring.—An organization organized under the concept of the Texas Game Warden Association cannot involve itself in the internal affairs of the state agency, nor can it undertake individual causes. However, the Association can work for the betterment of the system by assisting management in improvement of such areas as appointments and promotions. The association can also be used as a tool against interference of the system from outside the state agency. As in all state agencies, the executive director and/or commissioners sometimes receive political pressure to promote or appoint individuals above others that are perhaps more qualified. This practice reflects on the integrity of the system and reduces incentive for doing a good job. Why work harder when promotions are made by contacts rather than job performance?

For example, through attrition, the Texas Parks and Wildlife Department had 3 positions of lieutenant come open in fall 1982. There was a multitude of applicants for these positions. In every case, there was at least 1

letter and/or phone call from outside the state agency requesting certain individuals be promoted. The executive director is faced with the problem of possibly alienating an influential politician by ignoring his request for special consideration, or yielding to the pressure and betraying those wardens who have discharged their duties above average and in many cases have much more service time. This presented a dilemma with no easy solution. The Texas Game Warden Association, in open forum at the annual convention, had passed a resolution requesting that all promotions be made on a fair and equal basis. A copy of the resolution was presented to the executive director and commissioners. The executive director, in turn, presented the resolution to the politician making the special request. The resolution reflected that Texas Game Wardens as a group do not condone this type of selection and relieved the director of some of the pressure. This measure is minor, but it does give the director some grounds for evading special request.

The 3 positions were filled and not a single man promoted had any political assistance. All are exceptional game wardens with many years of service.

A planning committee of the association is presently working on an improved promotions system. This committee is chaired by a game warden but has 4 captains from across the state as members, 2 of which are on the headquarter's staff. This planning committee is also working on an improved method for screening game warden applicants.

Commemorative Pistol.—Another accomplishment of the Association include working out the details for a Texas Game Warden commemorative pistol. The details are complete and a major arms company is currently building the pistol with delivery expected in early 1984.

Goals

Goals include: (1) obtaining an improved group health insurance (the Association currently is working on the possibility of organizing and owning its own health insurance company with a major insurance company as an underwriter), (2) beginning a scholarship for deserving young people (when possible, from the sons and daughters of Texas Game Wardens), and (3) an improved appointment and promotion system for Texas Game Wardens (requested by the Parks and Wildlife Department).

Conclusion

Wildlife enforcement officers possess an independence born out of necessity. Accustomed to working alone, they daily handle crises independently. As independent individuals, they generally are not receptive to organized labor in the form of labor unions.

Here the author offers an unsupported theory for consideration. Society in America is changing. Organized labor in the form of standard labor unions

has become a stigma in this country. A necessity in its origin, organized labor raised the down-trodden masses from serfdom to a respectable position in life. However, as in all movements that gain momentum, labor unions evolved into powerful organizations. Individuals vested with leadership sometimes abused that power. Unrealistic demands for benefits were made of management. The fiscal impossibility of these demands resulted in the eventual shut-down of the industry. This is true not only in private industry, but also in public service.

The wolf, that is, labor, has finally caught the rabbit, that is, industry. The fatted rabbit that the wolf has always chased is now a weak and endangered species. The wolf now sits watching the emaciated rabbit, looks around but sees no other rabbits. If he pounces on this one, chews it and mangles it as he has always done, where does the next rabbit come from? Finally comprehending the situation, the wolf backs off. If he helps this rabbit to survive, perhaps he will multiply and once again flourish, insuring the food supply for the wolf.

As this hypothetical wolf evaluated the situation, so must organized labor. An alternative must be found. Professional organizations, such as the Texas Game Warden Association, can be that alternative. Organized under the concept of working with management rather than demanding from it, the same benefits can be accomplished. Wise leadership is a necessity and under it, the Texas Game Warden Association has flourished.