

The Secretary's decision to restrict the season on ducks in the Mississippi Flyway was based on the best interest of the resource and the public as a whole, and not on any consideration of prospects for a decrease in the sale of "duck" stamps. Decisions on regulations are separate from all factors except the relationship between the number of ducks available for harvest and the preservation of a basic breeding supply of birds for the future. All other considerations are subordinate to this objective. As populations of migratory game birds increase, provisions for harvest are liberalized; conversely, as populations decline, hunting regulations must be more restrictive. There can be no deviation from this philosophy if waterfowl populations are to be maintained in numbers sufficient to permit hunting opportunity.

## PHOTOGRAPHY IN GAME AND FISH LAW ENFORCEMENT

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Answers to a letter sent to the Law Enforcement Chiefs of each of the South-eastern states indicate that while photography can be extremely helpful in obtaining convictions for fish and game law violations, it is used to a very limited degree. It was agreed that an actual violation is extremely difficult to photograph and the greatest use is in photographing evidence, especially in water pollution violations. One Chief of Law Enforcement states that he would not consider going into court without photographs in water pollution cases. The majority of departments look to the Information and Education personnel who are trained in the handling of cameras to obtain this type of evidence. Some states, however, do have cameras available for use by field personnel when it is needed and one state has placed Polaroid cameras in the hands of some of its officers. The thought that was evident in most answers, although it was not so stated, was that photography was too complicated for most game wardens to cope with. This hurdle is not too great and could be overcome with some fundamental instructions and with the gaining of familiarity in handling the equipment.

The two benefits to be derived from the use of photography are the securing of physical evidence and the psychological effect that this activity may have upon a violator, thereby causing him to waive a contest or the psychological effect that such evidence may have upon a judge and jury.

One of the major actual benefits from the use of photographs is that it establishes a permanent record which may be used along with original field notes to refresh an officer's memory of events and places prior to appearing on the witness stand. When used in the presentation of a case, photographs can aid in establishing the place and nature of a violation and support other evidence which may have been collected such as bait, game, feathers, hides, gun shells, ammunition cartons, footprints, etc. It can show the arrangement or placement of such actual evidence at the time of violation. Photographs can also show the effects of alleged crimes such as dynamited or poisoned fish or carcasses of birds or animals where it is neither convenient nor possible to bring such actual evidence into court. It can further accurately identify equipment which may be used in violations such as automobiles, boats, guns, etc., including license or registration numbers. Where it is not practical to take the court to the actual scene of the crime, photographs when taken with a normal length lens, approximating the angle as seen by the human eye, can be used to illustrate to the court, distances from the observer to the violator and the condition of

the immediate scenes of an alleged crime. Photographs can establish the relationship of the various reference points involved in a crime. Photographs taken on the scene at the time of a violation can be used to identify the violator as well as witnesses who may be called upon to testify as to authenticity of scene, date, persons involved and evidence obtained.

The psychological effect of photographic evidence at the time of violation is often sufficient to obtain an immediate guilty plea from the violator. This may be heightened by the use of Polaroid pictures when the defendant can see that such pictures do actually show a violation. Care should be taken that defendants do not see poor pictures and have reason to doubt the effectiveness of such evidence. At the time of trial, the presentation of photographs as evidence may have additional impact by causing a jury to think that if the prosecution has gone to the trouble of using the services of technically trained men in securing scientific evidence that the case must be a strong one. Factual and scientific evidence and its presentation by technically trained people has a reassuring effect on those who are receiving it. It also allows the judge and jury to see clearly what is being described by the prosecuting attorney and can effectively dispell any doubts or confusion which might exist about the scene of the crime and the relationship of the various reference points.

Some state Law Enforcement Chiefs report that they sometimes experience difficulty in having photographs received as evidence in court. On one case in South Carolina, we were denied the privilege of presenting color slides where they duplicated black and white photographs which had already been submitted and accepted. Color slides may be used easily and effectively with a small portable self-contained unit which has a rear projection screen. When photographs are used, they should be of a large size so that while the witness is holding the photograph and explaining the details, they are plainly visible. An 11 x 14 print should be the minimum size and a 16 x 20 would be much more effective. Such prints should be matted on mat board for its stiffening effect. Color prints could be used to good advantage, but if used they should be of a large size and the great expense makes them prohibitive in any ordinary case.

Wherever possible, the photographer's own facilities, or those of other Law Enforcement agencies should be used for the developing and printing of photographic evidence. Handling by the least number of persons is preferred and a definite chain of possession should be established on all materials from the time of exposing the negatives at the scene of the violation until the presentation of prints or slides at trial. Each print or slide should be marked for positive identification by everyone who has been involved in the chain of possession. At the time of trial, a brief factual statement should be made of the importance of each print, what it illustrates, and its connection with the case being tried. Several illustrations are displayed here of actual prints which were taken for use in cases which have been prosecuted or are pending in South Carolina.

Any camera can be used effectively in field photography and satisfactory work can be done with very simple cameras when the photographer understands the limitations of the equipment and does not try to do the impossible with it. Fully automatic cameras will allow an inexperienced person to obtain first quality pictures. More satisfactory equipment, however, utilizes a system of photography which means that a camera can accommodate a number of different lenses for different purposes as well as other accessories for close-up and telephoto work. A number of systems are available, but most of them are expensive and do not readily accept lenses produced by other manufacturers. The system demonstrated here today is the Exakta for which a great variety of quality lenses at a moderate price is available. This system also includes the Exa-II which is a very low priced camera with a great deal of flexibility. Where low price is a factor, this is about the only changeable lens camera available and a very satisfactory combination can be put together of a camera body, normal lens, 35 mm wide angle lens and 300 mm telephoto lens for about \$190.00. Minor accessories can include extension tubes or bellows for close-up photography work.

Normal length lens of 50 mm should be used when photographing scenes so that distances appear as they would to the naked eye. The following slide illustrations will show how a scene appears to a normal 50 mm lens, to a

35 mm wide angle lens and to a 25 mm wide angle lens. You will notice that the distance from the observing point to the trees in the field, apparently increases greatly. The next series of comparative prints will contrast the scenes as photographed by a 50 mm normal lens with a series of pictures taken with lens ranging from 28 mm-400 mm. The distance from the observation point to the subject being photographed is 130 yards. The equipment used in this demonstration has been very satisfactorily used over a 10-year period and any questions on the Exakta-Exa II system will be gladly answered.

## THE KEYSORT CARD IN CASE RECORDS

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For many years, the Branch of Management and Enforcement, Bureau of Sport Fisheries and Wildlife, has maintained case records on a form entitled, "Report of State or Federal Game Law Offenses," and commonly referred to as a 3-300 report. As you can see on the screen (Slide No. 1) this is a letter size report containing pertinent information concerning the individual case made and its conclusion. In addition, a permanent file card has been prepared for each individual case and filed alphabetically in the Regional office. Similar information is maintained in the office of the Game Management Agent-in-Charge in each of our Southeastern States. In our Washington office, copies of the 3-300 reports, shown in illustration No. 1, are also maintained. While this system has worked very well from the standpoint of record keeping, it has resulted in voluminous files and considerable extra clerical effort in the preparation of duplicate information on the permanent file cards.

One of the big drawbacks in the old system has been that it is extremely difficult to go back through hundreds and even thousands of cards at the end of the year and break the information down relative to the type of violation which occurred by districts and by the Region. It was also difficult to determine how many cases any individual Game Management Agent was involved in during the year.

Because of the difficulties mentioned above, our Branch, starting in 1961, has introduced a system of record keeping on cases involving the use of a keysort card, more commonly known as the McBee Keysort System. This is nothing new since several states in our Region have been using this, or a similar system, for a number of years. For example, the two cards on the left in the illustration on the screen (Slide No. 2) are being used by the Commonwealth of Virginia and the North Carolina Wildlife Resources Commission. These have been found to work out very satisfactorily by the states which use them. In the case of the two states just mentioned, when an officer apprehends a violator, he fills out one of these keysort cards which is made up of the original, two thin copies and a heavier cardboard copy. The original is handed to the violator and serves as a summons to appear in court. The two thin copies are for the officer's files and the district office records. The thicker cardboard copy (which lends itself more readily to sorting) goes on file in the main office. Thus, in one writing, the officer prepares a summons and copies of the information for all offices which must have a record of the apprehension.

The card being used by our Branch (Slide No. 3) is a single one since, at the present time, only one is needed for filing in the Regional office. Also, we are using up a surplus of cards purchased in 1961. As you can see, it is a very similar type of record, having a series of holes around the edge which can be punched, according to a code to show the type of violation, the kind of bird involved in the violation, a place for witnesses, the court where prosecuted, the type of plea, agents involved in the apprehension, the name of the violator punched out alphabetically and other information.