

Violent Assaults on Conservation Law Enforcement Officers: Opportunity or Perception?

Robert W. Beaton

Abstract

Conservation law enforcement officers work in remote and hazardous environments, often alone, with back-up times often measured in hours instead of minutes. This study attempts to examine if there is another cause for the high rate of violent assaults on conservation officers. A question posed to the reader is if there is a perception that conservation law enforcement officers are not “real cops”, and if this perception may play a part in the disproportionate rate of assaults when compared to traditional police officers. Information for this study was gathered by sending out electronic surveys to fifty three conservation law enforcement agencies across the United States in an attempt to determine why conservation law enforcement officers are assaulted at a high rate.

Introduction

Conservation law enforcement officers are known by many names. Some of the more common are game warden, resource officer, ranger, and wildlife officer. All have the same primary mission of protecting our Nations' fish, wildlife and other natural resources. They often work alone away from large civilization populations, work in sometimes hostile environmental conditions, and are responsible for patrolling hundreds of square miles of our parks, refuges, waters, and forests. Training at the recruit level is intense. Not only do conservation officers go through the required state training standards, they also go through specialized training so they can survive and function in the environment they soon will be working in. One would think that the perception of these enforcers would be that of a no nonsense, rugged individual who is trained and experienced to handle whatever comes their way. However, for whatever reason, often times when conservation officers take more traditional law enforcement action they, and their authority are questioned. On a justified traffic stop conservation officers are often asked “Why are you stopping me? I’m not hunting.” I can remember standing on a street corner at a large event in Miami when I was approached by a woman looking for assistance. The woman approached, looked me up and down, and questioned, “Are you real police?” I was not taken aback as I have heard this before. What is it that makes a large portion of the general public question the authority of conservation officers in traditional law enforcement situations? They wear professional looking uniforms; have a gun belt or duty belt with all of the latest bells and whistles, shiny

shoes and a badge. Is it because nationally there are so few per capita that they are a rarity, almost like an albino rhino? There may be something else going on.

If one looks at the statistics maintained by government and independent organizations, conservation officers are physically assaulted with a variety of deadly weapons, on average, more than any other law enforcement group. If a traditional law enforcement officer approaches an armed suspect, they do so with gun drawn, and if at all possible have back-up. If a conservation officer were to do the same when approaching an armed hunter they would likely be criticized or reprimanded for acting too aggressively. Why are conservation officers across the Nation not seen as equal to traditional law enforcement officers? Is it because the perception is that they only deal with garbage-raiding critters, littering and making sure users of natural resources are properly licensed; while the “true” law enforcement officer is protecting people, private property and catching “real” criminals? Is this line of thinking the same with the assailant who violently assaults and often times kill conservation officers? Do they perceive conservation officers as a “lesser” cop?

Literature Review

Environment

The environment in which conservation law enforcement officers work is inherently dangerous. Officers work in rugged terrain, vast open waters, hazardous weather, and face dangers a traditional street officer does not face. During the time period of 1886 – 2009, 38 conservation officers drowned while on duty (Eliason, 2010). Officers are often on foot looking for signs of illegal hunting and encounter dangerous wildlife. In a three month period a Montana game warden was charged by a mother grizzly and a wounded bison (Eliason, 2011). Due to differing environments and often harsh conditions, conservation officers suffer long term injuries such as chronic back pain from operating patrol vessels in heavy seas (Forsyth & Forsyth, 2009).

Isolation

Conservation law enforcement officers work alone and in remote areas. In 2006 there were only 8,000 working fish and game wardens in all of North America, as compared to nearly 800,000 commissioned police officers working in the United States for the same period (Bureau of Labor Statistics, 2006). Conservation officers often patrol alone and are responsible for a large area of coverage that may include a variety of environments. In Montana each game warden is responsible for covering the patrol area roughly the size of the state of Delaware (Sakariassen, 2010). They are proficient in using a variety of patrol equipment which includes horses, all-terrain vehicles (ATV's), airboats, and vessels. These types of equipment all serve to get the officers further and further away from civilization and deeper into isolation. There is no such thing as “routine backup” for conservation officers. Often backup is measured in terms of hours instead of minutes (Carter, 2004).

User Groups

The primary user groups encountered by conservation law enforcement officers are hunters and fishers. There is also a smaller sub-group of recreational users which includes hikers, campers, boaters, and wildlife observers. The first group poses the greatest threat to conservation officers as they are often armed with firearms and/or knives, and most are proficient in their use of those weapons. “Wardens...are more than 7 times more likely to be assaulted with a firearm or cutting object than police” (Carter 2004). Conservation officers routinely face suspects who are lawfully armed. A street officer would be quick to disarm an individual with a gun, but game wardens must respect lawful hunter’s rights to be armed. If an encounter escalates to violence weapons are available to the potential assailant. Between the years of 1886 and 2009, 92 conservation officers were killed by gunfire (Eliason, 2010).

Incentive

Poaching as a profession can be a lucrative career. Large sums of money can be earned on the black market selling wildlife parts. Black bear gall bladders bring as much as \$800.00 a piece. In 2008 a ring of lobster poachers was brought down in Monroe County, Florida. The ring had been in operation for at least 15 years and illegally harvested huge quantities of lobster year round. It is estimated that they were earning in excess of \$500,000.00 annually. One co-conspirator was forced to sell 3 vehicles, 3 vessels and 2 properties to pay for his 1.1 million dollar fine. He also served 30 months detention (justice.gov, 2009).

Method

The purpose of this research is to determine some of the factors that are relevant to the disproportionate rate of violent assaults on conservation law enforcement officers when compared to those assaults against traditional law enforcement officers. Electronic surveys were sent out to 53 conservation agencies throughout the country. These agencies were selected because of my working relationships with the Atlantic States Marine Fisheries Commission (ASMFC), Gulf States Marine Fisheries Commission (GSMFC), and the North American Wildlife Enforcement Officers Association (NAWEOA). The ASMFC consists of the fifteen Atlantic Coast states, the GSMFC includes the five Gulf Coast states, and NAWEOA includes 33 additional states throughout the United States. The surveys were sent directly to personal contacts of mine that are in upper administrative positions in hopes that a large sample of surveys would be returned.

Results

A total of 53 surveys were sent out. Of that number, 20 were sent out personally and the remainder of the surveys was sent to the NAWEOA member states through the associations' website. 26 surveys were started and 23 were finished resulting in a return rate of just over **49%**.

Of the returned surveys, **27% (7)** reported that they had a conservation officer violently assaulted in the line of duty since January 2006. **71% (5)** of the assaults required hospitalization and **29% (2)** resulted in the death of the Officer.

14% of the assaults took place during a traffic stop not related to fish and wildlife, **43%** occurred during a traffic stop related to fish and wildlife, and **43%** occurred during another type of encounter.

29% of the assaults occurred in a rural community, **43%** in remote wilderness areas, and **28%** in other areas excluding city areas, one of which was on a roadway in a national park, and another on a dock.

In **100%** of the assaults the Officer was in uniform. **71%** of the assaults occurred when there was another Officer present. In **86%** of the assaults there was only one suspect present, while in **14%** of the assaults there were 2 suspects present. **100%** of the assaults were committed by a single assailant.

In **29%** of the assaults, the assailant was known to, or previously encountered by the Officer. A post interview of the suspect was completed in **43%** of the assault incidents. Note that since an odd number of surveys were completed, percentages were rounded up resulting in totals that may show 100.1%. The percentage values above were not manipulated to show transparency.

Discussion

The primary reason for my research was to ask a question rather than find an answer as to why conservation law enforcement officers are violently assaulted at a much higher rate than traditional law enforcement officers. The question asked is; are conservation law enforcement officers viewed by their assailants as "lesser cops". Since the type of work they do is not the traditional police work everyone sees on television and at the theaters, does this predispose them to an increased risk of assault?

The results of my survey did not come as a total surprise to me. I have been working in conservation law enforcement for nearly twenty three years and have found myself in potentially dangerous one-on-one situations many times in my career where the nearest back-up officer was likely an hour or more away. The references in my research also supported my thinking.

I anticipated that the majority of assaults would have occurred during fish and wildlife enforcement activities in remote wilderness areas. What surprised me was that in almost three fourths of the assaults there was another sworn member present. This seems to go against the thinking that conservation law enforcement officers generally patrol alone. One possible factor for the unexpected response is that the officers may

have been working a high profile violator as a two person team or even as part of a task force. Further questioning in the survey may have been able to add further clarification.

A second unexpected response from the survey was that in every assault the officer was in uniform. I would have expected that there would have been a substantial percentage of plain clothes investigators included in the assault data, but that was not the case.

Lastly, I was glad to see if there were post incident interviews by the enforcement agency with the assailant; however, I should have provided an opportunity in my survey for the interviewing agency to comment on the findings of the interview.

Recommendations

Further interviews with individuals who violently assault conservation law enforcement officers must continue in order to inform and train officers in the field. These interviews should be in-depth and detailed so the true question of "Why" can be answered.

Is the primary reason fear of imprisonment, low probability of immediate apprehension, or is there some validity to the perception of conservation law enforcement officers? Continued interviews and the information that is derived may one day save an officer's life and is worthy of the effort.

Captain Rob Beaton began his career in conservation law enforcement with the Florida Marine Patrol in 1989. Captain Beaton spent the first 13 years of his career in the Islamorada area of the Florida Keys where he served as an Officer, Boating Accident Investigator, plain clothes Investigator, Field Lieutenant, Staff Lieutenant, and high liability trainer. In July of 1999, the Florida Marine Patrol and the Florida Game and Freshwater Fish Commission merged to form the Florida Fish & Wildlife Conservation Commission. He currently is working as a Statewide Operations Captain in FWC's headquarters in Tallahassee and some of his responsibilities include the oversight of the Federal Fisheries Program, Shellfish Harvest Control, and the Offshore Patrol Fleet. He earned a Bachelor of Science degree in Criminology from Florida State University.

References

- Bureau of Labor Statistics. (2006). United States Department of Labor.
<http://data.bls.gov/pdq/SurveyOutputServlet>
- Carter, T. (2004, October 18). Force against and by game wardens in citizen encounters. *Police Quarterly* 7(4) 489-508. Retrieved from <http://pqx.sagepub.com/content/7/4/489>
- Eliason, S. (2010, December). Death in the line of duty: game warden mortality in the United States, 1886-2009. *American Journal of Criminal Justice*, 36(4), 319-326.
- Eliason, S. (2011, December). Patrolling the peaks and the plains: An examination of big sky game wardens. *Criminal Justice Studies*, 24(4), 409-418. Retrieved from <http://dx.doi.org/10.1080/1478601X.2011.626153>
- Forsyth, C.J. & Forsyth, Y.A. (2009, December). Dire and sequestered meetings: The work of game wardens. *American Journal of Criminal Justice*, 34(3-4), 213-223.
- Justice.gov. Southern District of Florida Press Release (2009, July 17).
Keys Commercial Lobster Operation Results in Convictions, Seizures and Forfeitures.
Retrieved from:
<http://www.justice.gov/usao/fls/PressReleases/090717-03.html>
- Sakariassen, A. (2010, January 21). The price of poaching. *Missoula Independent*. Retrieved from <http://missoulanews.bigskypress.com/gyrobase/the-price-of-poaching>

Appendix A

Survey distributed and results

1. Since January 2006 to present, have any sworn members in your Agency been violently assaulted in the line of duty? (For the purpose of this survey the injuries from the assault must have required extended hospitalization or resulted in a fatality)

- Yes
- No

2. If the answer to question #1 is yes, please complete questions 2 - 10 for each incident

The assault to the sworn member resulted in...

- Hospitalization
- Fatality

3. The assault took place...

- During a traffic stop not related to fish and wildlife
- During a Traffic stop related to fish and wildlife
- During a license/permit inspection
- During fish/wildlife inspection
- During encounter while on foot patrol
- Other _____

4. The assault occurred in which type of environment?

- City
- Rural community
- Remote wilderness/water
- Other (please specify)

5. Was the sworn member in uniform?

- Yes
- No

6. Was there another sworn member present at the time of the assault?

- Yes
- No

7. How many suspects/individuals were present at time of assault?

- Assailant only
- 2
- 3 or more
- Unknown

8. Was the sworn member assaulted by more than one suspect?

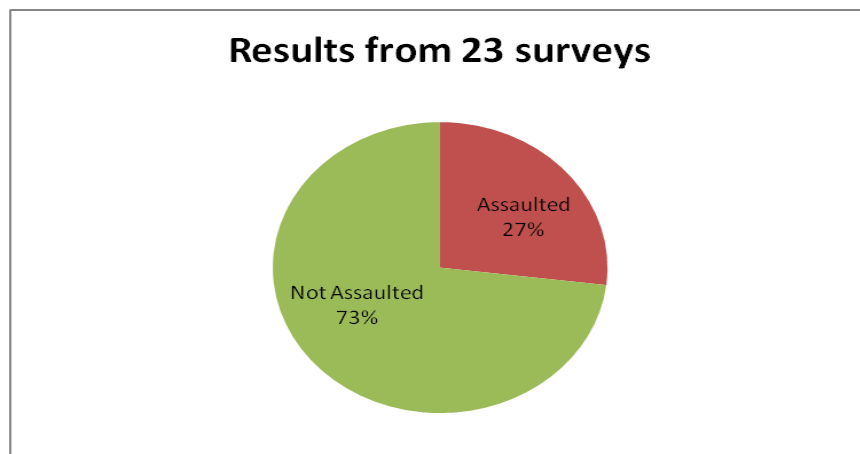
- Yes
- No

9. Was the assailant known to the sworn member or was there previous contact?

- Yes
- No

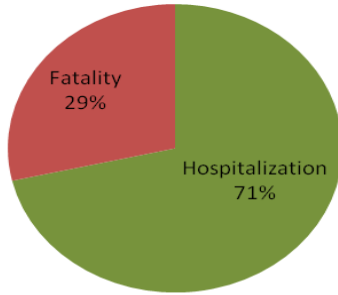
10. Was any type of post incident interview conducted with the assailant by the Agency?

- Yes
- No



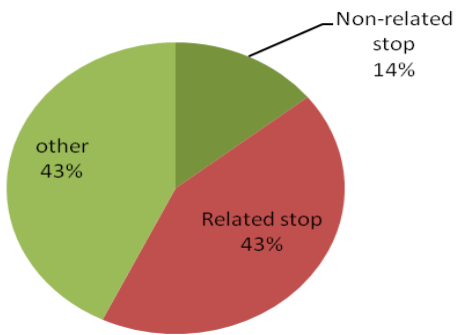
Question 1

Results from 23 surveys



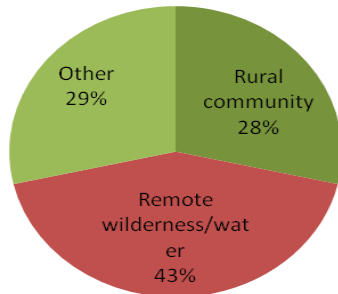
Question 2

Results from 23 surveys



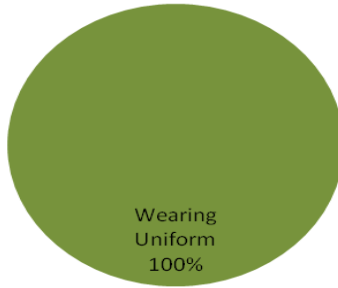
Question 3

Results from 23 surveys



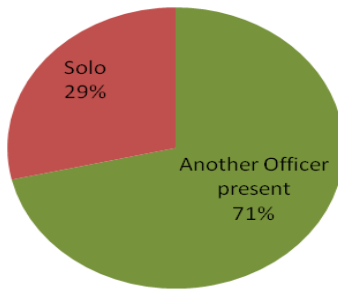
Question 4

Results from 23 surveys



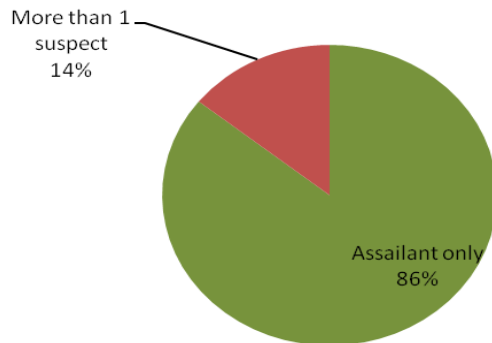
Question 5

Results from 23 surveys



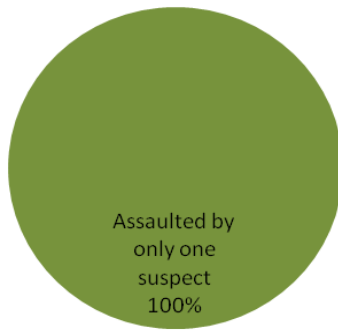
Question 6

Results from 23 surveys



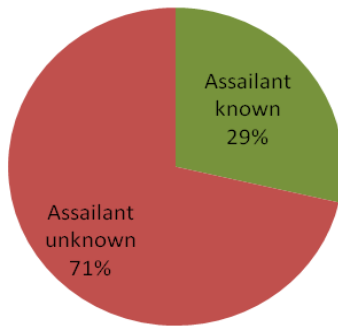
Question 7

Results from 23 surveys



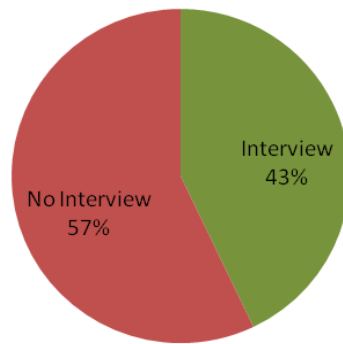
Question 8

Results from 23 surveys



Question 9

Results from 23 surveys



Question 10