

A SOCIOLOGICAL ANALYSIS OF POACHING:
TECHNIQUES OF NEUTRALIZATION USED
BY DEER POACHERS IN THE
WESTERN UNITED STATES

By

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TABLE OF CONTENTS

Chapter	Page
I. INTRODUCTION	1
II. THE HISTORICAL DEVELOPMENT OF GAME LAWS	6
Introduction	6
The Consensus and Conflict Theoretical Approaches of the Social Origin of Laws	7
The Emergence of Poaching and Early Game Laws	11
Development of Game Laws in the United States	17
The Lacey Act	21
Conclusion	23
III. REVIEW OF THE LITERATURE	25
Poaching as a Rural Crime	25
Poaching as a Modern Social Problem	29
Types of Poaching	36
Studies on Poaching	39
Macro Level Theoretical Perspective	46
Micro Level Theoretical Perspective-- Neutralization Theory	49
Studies of Neutralization Theory	58
IV. METHODS	61
In-Depth Interviews	67
The Questionnaire	71
Techniques of Neutralization	71
Reliability	75
Validity	76
Generalizability	78
Limitations of the Study	78
V. RESULTS	80

Chapter	Page
VI. DISCUSSION	103
Reasons for Poaching	109
Subject Anger and Hostility About the Study	121
Neutralization Techniques	122
Attitudes Toward Game Wardens	133
VII. CONCLUSION	135
Suggestions for Future Research	136
BIBLIOGRAPHY	141
APPENDIXES	151
APPENDIX A--COVER LETTER FOR SURVEY INSTRUMENT	152
APPENDIX B--HUNTING QUESTIONNAIRE	154
APPENDIX C--COMMENTS FROM A SUBJECT IN THE STUDY	163
APPENDIX D--IN-DEPTH INTERVIEW QUESTIONS	165
APPENDIX E--IRB REVIEW FORM	167

LIST OF TABLES

Table	Page
I. Demographic Characteristics of Colorado Deer Poachers	65
II. Frequency Distribution of Neutralization Items	81
III. Percentage of Subjects that use Neutralization Items	83
IV. Percentage of Subjects that Agree/Disagree With Deterrence Items	84
V. Rank Ordering of Deterrence Items (Percentages)	86
VI. A Summary of Items Dealing with the Importance of Getting a Trophy Deer (Percentages)	87
VII. A Summary of Items Dealing with Attitudes About Government Regulation of Hunting Activities (Percentages)	89
VIII. A Summary of Penalties Received for Deer Poaching Violations (Percentages)	90
IX. A Summary of Illegal Hunting Methods used by the Poachers (Percentages)	92
X. Reported Frequency and Quantity of Illegal Deer Hunting	93
XI. A Summary of Items Dealing with Legal Deer Hunting	95
XII. A Summary of Items Dealing with Illegal Deer Hunting	96

CHAPTER I

INTRODUCTION

Rural crime is a topic that has generally been neglected within the discipline of sociology as well as in the more specific field of criminology (Carter 1982; Sagarin, Donnermeyer & Carter 1982; Weisheit & Wells 1996). Bachman (1992) notes that in the research literature since the early 1970s, the study of rural crime has been a low priority for sociologists and criminologists.

For instance, Phillips, Donnermeyer and Wurschmidt (1982) claim that from the inception of *Rural Sociology* until 1982 there were only eight articles published that dealt with rural crime. Since 1982 there have been additional studies published that deal with rural crime (e.g. Arthur 1991; Crank 1990; Weisheit 1993; Weisheit & Wells 1996; Weisheit, Wells & Falcone 1994), but it still tends to be sorely neglected.

Kowalski and Duffield (1990) point out that urbanism and crime have received a great deal of attention in the research literature. The reason rural crime has generally been neglected, they contend, is because of traditional perceptions which are slow to fade and that continue to portray rural America as a "bastion of security" (Kowalski & Duffield 1990, p.76). Rural areas continue to be viewed as

havens which are safe from crime. And to a great extent this is true. But at the same time, it certainly does not mean that crime is altogether absent in rural areas.

Indeed, a review of the literature on rural crime will show that rural crime does exist and is in fact a problem in America. The topic of rural crime certainly deserves greater attention from sociologists in the future than it has received in the past.

Moreover, recent work by Weisheit and Wells (1996, p.382) stresses that "...although most people live in nonrural areas, most places in America are rural." They go on to note that seventy-six percent of the counties in the United States are classified as rural. Thus, the U.S. is mostly a rural place despite the fact that the majority of its citizens are concentrated in urban areas. The U.S. Census Bureau defines rural as a community with a population of less than 2,500 individuals. Communities with a population of 2,500 or greater are classified as urban. Weisheit and Wells (1996, p.384) state "It is too early to write the obituary for rural America, and it is past time for criminological theories and methods to include the rural context."

Nonetheless, the discipline of sociology itself continues to be biased toward certain research topics and

methodologies while at the same time systematically excluding others. Gramling and Freudenburg (1996, p.365) provide a good warning to sociologists who may be tempted to stray from conventional research topics:

Like most sociologists, after all, we are well aware of the obstacles that confront those who move toward uncharted territory; those obstacles can be worsened, moreover, for those who happen to run up against some of the stranger eccentricities of the field--as in the case of major journals that continue to favor convoluted statistical manipulations of data and complicated theoretical explanations, even when the variance explained by such manipulations frequently fails to meet the "so what" test, and when the theoretical explanations offer as much fog as they do fuel for advancing the discipline at large. Particularly in the academic world, such obstacles and eccentricities can well lead the more rational of the younger researchers to avoid analyses, and topics, that fail to inspire the favor of the current gatekeepers.

The topic of poaching is definitely one type of "uncharted territory" in the discipline of sociology. While rural crime in general has been neglected, poaching has fared even worse since there is a paucity of literature on poaching in the social science literature. Although there have been a handful of sociological studies of poaching published since 1990, it remains a topic that is largely unexplored and which deserves greater attention from sociologists in the future. This study is a step in that direction.

Poaching should be of interest to sociologists. In his

discussion about the lack of attention that sociologists have given to hunting and fishing related issues, Hummel (1983, p.256) states that:

...significant amounts of deviant behavior and crime occur in the forms of poaching and illegal trade in wildlife products. The distribution and patterns of these behaviors should interest criminologists, especially those concerned with rural crime.

Just why, then, has the topic of poaching been neglected in sociology and criminology? For one thing, Berry (1994) claims that some subareas of sociology are perceived as not contributing to the core of the discipline because they are concerned with the study of stigmatized populations. Citing the work of Jensen (1992), Berry (1994, p.16) reports that "...as the status of a subarea descends down the sociocultural ladder (studies of the poor, the powerless, minorities, deviants), the subject matter declines in status."

Poaching provides a unique opportunity to examine techniques of neutralization and thus extend our knowledge of poaching in the social science literature. However, this study extends our sociological knowledge of poaching in at least three ways. First of all, through historical analysis of secondary sources, it examines the origin and development of game and poaching laws. It has been said that in order to fully understand crime, we must understand the law as

well (Sutherland 1924). Indeed, Sutherland (1924, p.11) states that "An understanding of the nature of law is necessary in order to secure an understanding of the nature of crime." Second, this study provides an explanation of how forces at the macro or social structural level contribute to poaching, especially in regard to the trophy poaching of big-game animals.

And finally, from a survey conducted with individuals cited for illegal deer hunting, it provides a descriptive account of the various techniques of neutralization these individuals use in order to carry out this particular type of deviant activity. In-depth interviews with poachers as well as game wardens are also used to obtain additional information about the deviant nature of poaching.

CHAPTER II

THE HISTORICAL DEVELOPMENT OF GAME LAWS

Introduction

Poaching is a criminal activity. However, similar to other laws, laws regarding the taking of game are socially defined. The purpose of this chapter is to examine the conflictual nature of the origin and development of early poaching laws and game laws as well as game laws of more recent origin. Berry (1994, p.11) states that "...sociological studies of crime, law, and deviance have led to a better understanding of other social phenomena, such as social inequality."

As this chapter will attempt to show, poaching laws favored elite members of society in early Europe, and at the same time can be interpreted as serving as a tool for members of the upper class to exercise control over members of the lower classes. This chapter will also examine the influence of interest groups regarding the development of game laws in the United States. In addition, the Lacey Act of 1900 will be examined. Before examining specific game laws it will be useful to identify two competing paradigms or perspectives that have guided sociological study of the origin of laws--the consensus and the conflict.

The Consensus and Conflict Theoretical Approaches of the Social Origin of Laws

Two major theories of the social origin of laws are the consensus and conflict perspectives (Hopkins 1975; Vago 1981). The first theory of the social origin of laws to be examined is the consensus tradition. From the consensus perspective, Coleman (1994, p.103) suggests that the law is viewed as "...a reflection of widely held values and of the general consensus of public opinion." Thus, dominant norms and values of a society are of central importance and are reflected in the law.

Moreover, Galliher (1989, p.143) claims that for the consensus tradition, "...criminal laws proscribe those acts that generally are considered morally wrong." He also notes that the law is assumed to reflect public opinion of what is right and wrong. From this perspective, Vago (1981, p.120) states that "...laws are passed because they represent the voice of the people."

One of the major theories dealing with the social origins of law that comes out of the consensus tradition is Durkheim's ideas on society (Durkheim 1949). Durkheim (1938) argued that crime is a necessary and normal feature of social life. Durkheim claimed that the structure of society necessitates certain kinds of legal systems. More

specifically, he argued that as a society grows with increasing complexity in the division of labor, it would shift from mechanical to organic solidarity.

Societies characterized by mechanical solidarity tend to be small communities where individuals know most all of the other members of the community. These communities have a low degree of technology, and the division of labor is very simple. Also, primary or face-to-face relationships tend to predominate. Lukes and Scull (1983) also point out that these societies tend to be highly religious.

Because of their relatively simple nature, societies characterized by mechanical solidarity have repressive law. That is, when there is a violation of group norms it creates a crisis for the group. The reaction to a violation is generally swift and severe, and the punishment expresses the moral outrage of members of the community toward the offender. Durkheim argued that this type of law works in small societies but would not work in societies that have a more complex division of labor.

As societies increase in population size it is not possible for everyone to perform the same type of work, and as a consequence the division of labor becomes more complex because of the increased occupational specialization that is necessary for this particular type of society to operate

effectively. Primary relationships no longer predominate because they are replaced by secondary ones. It has also been pointed out that these societies tend to become increasingly secular (Lukes & Scull 1983).

Durkheim argued that as societies grow and are characterized by organic solidarity, they develop restitutive law in which the objective is to get society back on track and functioning effectively as quickly as possible, or in other words, to restore order to the system (Lukes & Scull 1983). This is important because all of the parts of the system are tied together and are highly interdependent.

It is also important to note that Durkheim felt that contract law was necessary in societies characterized by restitutive law in order to keep things running smoothly (Kidder 1983; Lukes & Scull 1983; Vago 1981). There also begins to be an increasing differentiation between civil and criminal law. That is, crimes are defined as either *mala in se* (evil in and of themselves), or else as *mala prohibita* (acts that are administrative prohibitions) (Sagarin 1975).

The second major tradition dealing with the social origins of law is conflict theory. Much of it is based on the work of Karl Marx (Hopkins 1975; Spitzer 1975). The philosophical basis of Marx' work is dialectical materialism

and is concerned with the opposing forces that come into society and produce social change (Vago 1981). More specifically, there is an opposing force (antithesis) which confronts the present force that is in existence (thesis) in order to produce a new force (synthesis) or society.

According to Vago (1981, p.38), Marx believed that at some point in the future there would be no more need for laws because "universal harmony" would exist in the final stage of communism.

Marx argued that in society there is a dominant mode of production, such as capitalism, and that institutions will evolve out of the forces and relations of production that will serve to perpetuate and reinforce the existing economic foundation or mode of production in that society (Spitzer 1975). Vago (1981) notes that for Marx, the law is simply a reflection of the economic conditions that are present in a given society. Laws evolve from class conflict and reflect the interests of the dominant classes or groups.

For example, citing the work of Hall (1952), Galliher (1989) wrote about the development of embezzlement laws. Embezzlement laws originated in England a few centuries ago when the number of merchant trading companies increased. Galliher also points out that at this time the use of paper money became widespread and personal mobility increased.

That is, with the demise of the feudal estate system individuals were not bound to the land anymore. The embezzlement statute served to protect the business owners from employees who would steal money from them, thus serving to protect the existing mode of production.

Also, on a related note, Chambliss (1964) wrote about changes in the vagrancy laws in England and their relation to the growing emphasis on commerce. He points out that in 1348 the Black Death swept through England and, as a result, destroyed a substantial portion of the country's labor force.

Initially, Chambliss points out that vagrancy laws were designed to supply landowners with a steady, cheap supply of labor by requiring individuals to work for low wages. Later, however, he points out that vagrancy laws were directed toward individuals who were potentially criminal or "suspect" and who simply had the potential to interfere with merchants who were transporting goods.

The Emergence of Poaching and Early Game Laws

Poaching has existed for a very long time. Trench (1967) notes that it is almost certain to have existed in neolithic times, when game most likely began to become scarce with the decline of hunting and gathering societies

and the subsequent development of agriculture and emergence of villages. He claims that some individuals attempted to reserve the hunting grounds located near their villages for their own personal use. As a consequence, Trench (1967, p.9) states that "To defy, trick and circumvent the first game preserver there must have appeared the first poacher. It might almost be claimed that poaching is the second-oldest profession."

For just how long has game preservation been practiced? Trench (1967, p.10) went on to note that illustrations found in Egyptian tombs "...show animals being hunted within fenced parks" as well as other animals "...being lassoed and led in obviously to stock these reserves." Such depictions reveal that game preservation existed in Egypt as early as 2500 B.C.

Moreover, Trench (1967, p.11) writes that kings hunted in Assyria and Babylon, with the king keeping "...a huge game park stocked with lions, wild cattle and fallow deer. Lions were royal game, reserved for royal sport." Thus, it is evident that even at this early time in history social class distinctions played a major role in determining who was allowed to hunt game animals.

Many of the game laws we now have in the United States had their origin in Europe (Lund 1980). In Europe, it was

customary for game, especially deer, to be the property of the king. Kings had gamekeepers and others who were in charge of managing and enforcing the laws regarding the taking of wildlife and other resources (Kirby 1933). It has been noted that gamekeeper was the forerunner to the modern day occupation of game warden or conservation officer in the United States (Palmer & Bryant 1985).

Lund (1980, p.8) stated that class discriminations in early game laws in England "...were openly embraced from the earliest periods until at least the mid-nineteenth century." Lund also noted that the so-called "qualification statutes" prohibited members of the lower classes from possessing some types of weapons and taking game and reserved these rights only for more prominent citizens. By prohibiting the possession of weapons, the nobility were able to prevent disruption and rebellion by members of the lower classes.

In fourteenth century England, Manning (1993, p.57) notes that there was an assumption that hunting activities could be used by members of the lower class as a means to conceal conspiracies against the nobility, and as a result hunting restrictions were imposed on "...those without sufficient estates as a means of preserving public order."

According to Lund, qualification statutes were a direct result of large, collective poaching activities, in which

large numbers of poachers with weapons could not be controlled by the gamekeepers. These statutes were not abolished until 1831 (Emsley 1987). Bean (1983, p.12) states that the qualification statutes "...merely perpetuated a pervasive system of class discrimination and at the same time kept weapons out of the hands of those considered unfriendly, or potentially so, to those in power."

Parliament enacted the first Game Law in England in 1389-90, and the Game Act of 1485 was the first law that made it a felony to hunt in disguise or at night (Manning 1993, pp.57-63). Thus, in this case it is apparent that elites were able to use their power and influence to construct a social reality that served their own vested interests.

Through the creation of laws and statutes that severely restricted hunting opportunities among members of the lower classes and by imposing harsh sanctions for violators, elite members of society were attempting to control a source of potential disruption and disorder that posed a threat to their power and well-being. Moreover, by the eighteenth century Manning (1993, p.61) claims that in England there existed a widespread belief among members of society "...that poaching led to a life of crime."

Reisner (1991, p.271) offers a concise account of the oppressive nature of early wildlife laws that existed in Europe:

In the Europe of colonial times--the Europe our forebears were determined to escape--all the remaining wildlife belonged, under the law, to a handful of royals, who, along with their private armies, were also the only people permitted to bear arms. To a starving European peon, who was shot on sight if he entered the duke's wildlife preserve, a game law was simply another instrument of oppression.

Moreover, Schulte (1994) notes that in Bavaria, poaching could be punished by the death penalty or banishment from the country.

In eighteenth century England a situation continued to escalate in which individuals armed with weapons and their faces blackened appeared in forests and committed poaching as well as many other offenses (Thompson 1975). This led to the passage of "The Waltham Black Act," which turned many of these crimes into capital offenses. As Thompson claims, most of the offenses had to do with violation of game laws, and more specifically, with the killing of the king's deer. Thompson (1975, p.22) describes the Black Act:

The main group of offences was that of hunting, wounding or stealing red or fallow deer, and the poaching of hares, conies or fish. These were made capital if the persons offending were armed and disguised, and, in the case of deer, if the offences were committed in any of the King's forests, whether the offenders were armed and

disguised or not. Further offences included breaking down the head or mound of any fish-pond; maliciously killing or maiming cattle; cutting down trees 'planted in any avenue, or growing in any garden, orchard or plantation'; setting fire to any house, barn, haystack, etc; maliciously shooting at any person; sending anonymous letters demanding 'money, venison, or other valuable thing'; and forcibly rescuing anyone from custody who was accused of any of these offences.

Because it turned so many offenses into capital offenses, Thompson (1975, p.23) claims that the Black Act "...signalled the onset of the flood-tide of eighteenth-century retributive justice." Trench (1967, p.123) provides another account of the social circumstances regarding the poaching situation in England at the time of the passage of the Black Act:

In one vital respect, poaching had changed since the 15th century: then all kinds of men, rich and poor, noble and base, had stolen the king's deer; now poaching was a class crime, committed by the poor against the rich. As such, it was far more severely punished.

Thompson (1975, pp.34-36) noted that although gamekeepers received small salaries, they enjoyed certain perks of the job such as the use of sub-lodges belonging to the king as well as free timber and small game. However, he notes that corruption also existed among them in that they were known to accept bribes from poachers in order to remain silent about their poaching activities.

Even with all of the strict laws and sanctions to deter poaching, it continued to exist (Kirby 1933). Trench (1967) claims that poachers continued their illegal activities, and when confronted by gamekeepers, were known to forcefully resist arrest. This resulted in the passage of the Ellenborough Act in 1803, which "...imposed the death penalty for armed resistance to lawful arrest, which included arrest by a keeper" (Trench 1967, p.148). Perhaps this was the source of the current law in American society which prohibits citizens from resisting arrest by peace officers.

Development of Game Laws in the United States

In the nineteenth century in America, there was an abundance of game available on the frontier. Moreover, individuals viewed it as their right to hunt and initially resisted the development of laws that would restrict their opportunities to take game (Reisner 1991). These same individuals were also firmly opposed to any laws that would take away their right to possess weapons (Kellert 1996). Reisner (1991, p.271) describes the situation in America at this time:

In a nation of immigrants just liberated from landlessness and crowdedness and monarchy, game laws, like forestry laws and zoning laws and gun-control laws, were resisted with a singular

passion. The yeoman American citizen, intoxicated by his right to bear arms, made giddy by the omnipresent wildlife he could hunt at will, could not recalibrate his values as the game ran out, could not constrain his impulse (always described as a God-given right) to hunt.

Kellert (1996, p.67) points out that hunting "symbolized a freedom" that had previously been denied to these individuals. Yet, with unrestricted hunting much wildlife was wasted and many species were being systematically eliminated from the face of the earth. Indeed, Baker (1985) notes that market hunting was on the rise during this time period, and that it was producing devastating results for game numbers, with some species being driven to the verge of extinction. It became apparent that some type of restrictions on hunting activities were necessary if wildlife was to perpetuate and be sustainable.

Many of the hunting laws in the United States can be traced to the efforts of an organized interest group: recreational or sport hunters (Altherr 1978; Baker 1985; Linder 1988). Baker (1985, pp.30-32) writes that after the Civil War there was an increasing number of people from cities and towns who hunted primarily for recreation, not for subsistence as the pioneers had. He claimed that this was because an increased amount of leisure time was available to individuals due to the industrial revolution. He also noted that fast and cheap transportation to rural

areas was becoming available at the time.

Warren (1992) points out that in the late nineteenth century, control of wildlife shifted from local communities to the state. The reason this transfer of power occurred is because game populations were declining rapidly, and the conflicting values and interests of market hunters and recreational hunters intensified. Warren (1992, p.712) states:

Local subsistence and market hunters in rural America faced off against elite recreational hunters like John Phillips, many of them from distant urban centers, who demanded increased state regulation of hunting.

Thus, a battle ensued between local hunters and conservationists, and Warren claims that although resistance to state authority was sometimes violent with game wardens being killed, it often took the form of poaching.

Recreational hunters organized themselves to challenge the activities of market hunters (Cart 1973). Baker (1985) stated that recreational hunters "...had a vested interest in the perpetuation of wildlife" (p.32) because they were concerned about having adequate wildlife in the future for their sport, and went on to claim that as a result of this these same individuals "...organized to encourage stricter enforcement of game laws" (p.31).

Thus, it was hunters themselves who demanded protection

of wildlife resources and who were responsible for the development of wildlife management strategies in the United States. For example, Baker cites the formation of the Boone and Crockett Club in 1887, which is an organization dedicated to trophy hunting, and also the formation in 1898 of the League of American Sportsmen.

Another example of conflict arising from interest groups is provided by Forsyth and Marckese (1993a), who studied poachers in southwest Louisiana. They note that the French Acadians, or "Cajuns," who live there have been excluded from mainstream society. They suggest that it is important to examine the cultural history of groups being studied in order to arrive at a more complete understanding of group behavior.

Forsyth and Marckese found that it was not uncommon for the people who lived in rural Louisiana to supplement their diet with wild game. However, with an expanding oil industry and the accompanying increase in urbanization it brought with it, there began to be changes in the manner in which wildlife resources were managed. Forsyth and Marckese (1993a, p.28) describe the change:

Oil brought a middle class with a need for recreation. These past-times included hunting and fishing, which now necessitated more conservation laws to ensure that there would be wild game and fish for which to spend their leisure upon. The result was a gradual intrusion

on a way of life. Behaviors which were previously acceptable became unacceptable and vice-versa.

Thus, it is evident in this particular instance that the use of wild game was part of the cultural heritage of the French Acadians, and that increasing urbanization and the conflict over game use which ensued brought into existence a new set of conservation laws which made their traditional activities a crime.

Moreover, the conflict over these laws resulted in the development of resentment among some members of the Acadian subculture. Forsyth and Marckese (1993a, p.19) describe how this resentment toward Americans contributed to the motivation for these individuals to poach in order to defy state authority:

There exists a deep seated resentment among some Acadians, who settled the area, held against the Americans who destroyed their way of life by destroying the environments and making many game animals illegal to hunt. Game outlaws are a sort of cultural hero among the traditional Acadians, a member of a "resistance."

The Lacey Act

One attempt to help alleviate poaching activities and to stop the illegal trade in wildlife in the United States is the Lacey Act of 1900 (Cart 1973). As one of the most significant pieces of federal legislation designed to curb

illegal wildlife trade, the Lacey Act of 1900 was the end result of bills that were originally introduced to the House and Senate by John Lacey of Iowa and George Hoar of Massachusetts in 1897 and 1898, respectively (Tober 1981, pp.227,229).

After being passed by the House and Senate, President McKinley signed the bill into law on May 25, 1900. While recognizing that individual states, Indian tribes, and foreign countries each have their own laws regulating the taking of wildlife, the Lacey Act makes it a federal offense to transport illegally taken wildlife, fish, or plants across state lines. Littell (1992, p.112) cites section 3(a)(2) of the Act, which states the following:

It is unlawful for any person...to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce [any fish or wildlife or plant] taken, possessed, transported, or sold in violation of any law or regulation of any state.

The Lacey Act has been amended several times in its existence, most recently in 1981 and 1988. Moreover, the Act covers transportation of wildlife taken not only in violation of state laws but also that taken in violation of federal, Indian tribal, and foreign laws (Littell 1992).

Littell (1992, p.114) points out that the Lacey Act "...punishes only trafficking in the illegally taken

wildlife. It does not punish the violation of the underlying federal (or state) law."

According to Littell (1992, pp.119-123), sanctions for violation of the Lacey Act include both civil and criminal penalties. Civil penalties for major offenses include a maximum \$10,000 fine, while the penalty for lesser offenses (those valued at less than \$350) cannot exceed the maximum fine for violation of the original federal, tribal, or state law. Criminal penalties are given to both felony and misdemeanor offenses. Felony penalties have a maximum fine of \$20,000 or five years in prison, or both. Misdemeanors have a maximum fine of \$10,000 or one year in prison, or both.

Littell (1992, pp.123-24) notes that congress imposed "strict liability" on wildlife transporters, which makes them responsible for compliance with the law as well as subject to forfeiture of wildlife for any violation of the transportation laws. Equipment and vehicles may also be forfeited in cases that involve purchase-and-sale transactions that result in a felony conviction.

Conclusion

Consistent with the consensus model of the social origin of law, it may be argued that game laws are needed as

societies become more populated and industrialized in order to protect wildlife resources from indiscriminate killing and overharvesting. This is consistent with Aker's (1968, p.461) claim that "...the law reflects not only the interests of particular segments but also the changing needs and functions of the whole society."

However, it is also clear from the historical analysis presented in this chapter that the particular content of game laws are significantly influenced by elite members of society or interest groups. Indeed, it is important to keep in mind that conflict may be pluralistic in nature (Pfohl 1994). Pfohl (1994, p.428) states that:

Pluralistic conflict theory assumes an ongoing struggle between a variety of social, religious, political, ethnic, and economic factions. To the winner go the spoils of criminal law, the power to decide on what is deviant and legally prohibited.

Modern game laws reflect the interests of an organized interest group: the recreational or sport hunter. However, there are currently other interest groups which are advocating different methods, restrictions, and even the elimination of the taking of wildlife resources (Linder 1988). Some of these groups will be discussed in the next chapter.

CHAPTER III

REVIEW OF THE LITERATURE

Poaching as a Rural Crime

Rural crime is a topic that has generally been neglected within the discipline of sociology as well as in the more specific field of criminology (Carter 1982; Sagarin, Donnermeyer, & Carter 1982). Indeed, Bachman (1992) notes that in the research literature since the early 1970s relatively little attention has been devoted to the study of rural crime. And poaching has generally been neglected in the research literature as well, although there have been several studies published during the past several years (e.g. Brymer 1991; Forsyth 1993a & 1994; Forsyth and Marckese 1993a & 1993b).

But what do we know about rural crime? Though rural crime in general has received limited attention in the research literature, there have been a handful of studies conducted which provide some insight into the phenomenon. Rogers, Burdge, Korsching and Donnermeyer (1988) point out that violent crime rates are lower in rural areas than in metropolitan areas. They also note that the most common type of crime that occurs in rural areas is vandalism, which is committed for the most part by juveniles.

Gibbons (1972, p.178) suggests that much of the crime

that occurs in rural areas is petty in nature. He also notes that most people are likely to perceive the "crime problem" as involving serious crimes such as rape and robbery, while less serious crimes such as violations of wildlife laws (e.g. hunting without a license) are less likely to be viewed as a problem, although they are significant. Gibbons (1983, p.219) also claims that violators of some fish and game laws "...are not normally regarded by many as criminals."

While there is no question that crime occurs in rural areas, there is some question as to the extent of crime in these areas. One problem with attempting to document the extent of crime in rural areas has to do with discrepancies between official statistics and self-reports of criminal victimizations.

For instance, in a study of a small town ("Lincoln") of 11,250 residents located within a rural county of about 30,000 population in west-central Ohio, Dinitz (1973, p.11) compared official crime statistics with victimization self-reports. He found that only about half of the victimizations that were reported to him and his associates were also reported to the police. He also found that the majority of "petty offenses" (vandalism, minor acts of delinquency) were reported in victimization surveys but not

to the police, while serious felonies tended to be reported both to the police and in the victimization survey.

However, some of the more serious offenses in rural areas may be resolved in an informal manner between parties and never come to the attention of the police as well. Thus, the extent of crime as reported in official statistics may be significantly underestimated because of the fact that a substantial proportion of less serious crime in rural areas never comes to the attention of the authorities.

Yet another problem with official crime reports is that they don't take into account the use of discretion by police officers. This can be especially problematic in small, close-knit rural communities where officers may be more lenient with offenders. Weisheit, Wells, and Falcone (1994, p.557) state that "...knowing their citizens well....allows rural officers greater latitude in disposing of cases informally."

Weisheit (1993) notes that drugs are a problem in rural areas. He points out that in some rural areas the rate of drug usage is nearly as high as in large urban areas. However, use of drugs is not the only problem in rural areas. Weisheit contends that much of the production and manufacturing as well as the transportation of drugs in the United States occurs in rural areas. The phenomenon has not

been studied extensively because it is generally perceived as an urban problem.

The myths that many people possess of rural areas being largely harmonious and free from disruptions are misleading. In regard to the changing nature of the rural community, Wilkinson (1991, p.83) states that "...it can be safely concluded that the old view of urban problems and rural harmony is largely inaccurate," and goes on to claim that recent evidence suggests that "...at least some forms of social disruption tend to be more prevalent in rural than in urban areas." Technological advances also result in individuals in rural areas being more susceptible to the influence of urban society as well (Allen & Dillman 1994; Forsyth 1996).

Because the majority of wildlife is found in rural areas, most poaching activities occur in these locations. Poaching may thus be classified as a rural crime. In spite of the fact that urbanization is proceeding at an alarming rate in the United States, there are still many rural areas that provide diverse and suitable habitat for much of the nation's wildlife resources. These areas are often geographically isolated and sparsely populated, which further hinders effective law enforcement efforts (Forsyth 1993a).

However, it is important to keep in mind that not all poachers are from rural areas. The interstate highway system has made even the remotest areas highly accessible to anyone with a vehicle, and many individuals who take wildlife illegally travel from urban areas in order to do so. Moreover, Brymer reports that many of the trophy and tourist poachers are from urban areas. Thus, although it occurs in rural areas, poaching cannot be considered to be an exclusively rural phenomenon.

Poaching as a Modern Social Problem

Even with a piece of legislation as significant as the Lacey Act in effect, poaching continues to be a serious problem in the United States. Musgrave, Parker, and Wolok (1993, p.977) contend that poaching has reached a crisis level in terms of the "...loss of numbers of game and nongame wildlife." Just why is poaching a serious social problem? Actually, there are several reasons that deserve further elaboration.

First of all, from an ecological standpoint, the illegal taking of wildlife is producing devastating results. Indeed, Musgrave et al. (1993, p.977) contend that it is rapidly depleting "...our irreplaceable national wildlife resources." A fundamental principle of ecology is that

diversity leads to stability in an ecosystem. On the other hand, when there is less diversity in an ecosystem, the less stable it becomes. Because it is not regulated, poaching contributes to a reduction in the diversity of wildlife resources on the earth.

Moreover, the poaching of trophy animals involves the selective elimination of the best gene pool since most of these animals are in the prime stage of their lives. This further exacerbates the problem of maintaining ecological diversity. Indeed, Kellert (1996, p.31) suggests that reducing the genetic variability of species of life on the planet is a form of ecological degradation tantamount to a game of "ecological roulette" that poses severe consequences for the generations of people that will inhabit the earth in the future.

Poaching is also a serious problem since many individuals participate in it to the extent that they are able to benefit from it economically. That is, poaching has become a very lucrative illegal business operation for some individuals. Due to the large volume of poaching cases that go undetected as well as the inherent difficulties of infiltrating the black market system in which illegally taken wildlife products or parts are sold, it is impossible to place a precise dollar amount on the illegal revenue that

is generated from poaching activities.

Nonetheless, it is clear that poaching represents a multi-million dollar industry in the United States. Musgrave et al. (1993, p.979) report that recent estimates from the Fish and Wildlife Service indicate that two-hundred million dollars is earned annually from the illegal taking and selling of wildlife parts. However, it is also important to remember that not all wildlife is poached for commercial purposes; indeed, much of the poaching that occurs is carried out for noncommercial purposes (Brymer 1991; Musgrave et al. 1993).

It has been pointed out that one problem which hinders law enforcement agencies in their attempt to control the illegal taking and selling of wildlife involves inconsistencies in game laws between states (Musgrave et al. 1993). From a Durkheimian perspective, the increasing complexity of hunting regulations in modern society can be expected as society shifts on the continuum from mechanical to more advanced stages of organic solidarity (Durkheim 1949). Nonetheless, each state is generally responsible for managing it's own wildlife and as a consequence, laws regarding the taking, possession, and selling of wildlife exhibit considerable variation from state to state.

For example, this makes it possible for poachers to

circumvent strict laws in some states which forbid the sale of certain wildlife parts by moving to other states where such activities are legal. Indeed, Musgrave et al. (1993) point out that in some states the illegal taking of wildlife is a felony, while in other states similar violations constitute only a misdemeanor, which gives some poachers an additional incentive to be more mobile with their activities.

The illegal taking of wildlife resources produces other negative social impacts as well. It has been suggested that the future of sport hunting in America is in serious jeopardy due to social changes that are taking place (Heberlein 1991). Poaching threatens recreational hunting not only by depleting wildlife and creating reduced opportunities for hunters to harvest animals legitimately, but by contributing to a negative image of hunters.

In fact, because of various portrayals in the media, some members of the general population may be inclined to equate hunters with poachers. Thus, poaching threatens the image of sport hunting. Moreover, Kellert (1993,1996) reported that the majority of U.S. citizens were opposed to sport and trophy hunting. Poaching does nothing to improve the image of sport or recreational hunting in the eyes of the general public.

The elimination of sport hunting could have tragic consequences not only for the hunting industry, but for wildlife itself. Although the number of individuals participating in recreational hunting has declined in recent years (Kellert 1996), hunting remains a multi-million dollar recreational industry in this country (Wallace, Stribling, and Clonts 1991).

Citing information from the U.S. Department of Interior, Berger (1994) reports that hunters in the U.S. spent more than fourteen billion dollars on their sport in 1992. Berger also claims that the majority of wildlife conservation work that individual states perform is paid for by sportsmen via the money collected from licenses, stamps, and excise taxes. However, as previously mentioned, sport hunting is already facing the threat of elimination due to social changes which are taking place such as increasing urbanization and the agendas of certain interest groups such as animal rights organizations (Heberlein 1991; Linder 1988; Reiger 1986).

For example, each year considerable acreage is being lost due to increased development and urbanization in rural areas (Forsyth 1994). In the western United States many tracts of land that have traditionally provided critical winter range habitat for many big game species of wildlife

are now being turned into suburban housing developments. As a result, there are becoming fewer and fewer places for individuals to hunt as land is being utilized for other purposes. As settlements become larger, there is also a tendency for increased restrictions on where firearms may be legally used. Also, not as many game animals are able to survive the winter as competition for forage becomes intense. This means that there will be fewer animals for hunters to harvest during hunting seasons.

The twentieth century has witnessed the emergence of an extensive antihunting movement. Kellert (1996, p.66) claims that antihunting sentiment represents "...a remarkable development given the evolutionary importance of hunting and gathering." He claims that the antihunting movement began in America and northern Europe during a period of rapid industrialization and urbanization and was closely associated with the humane movement.

The efforts of animal rights groups are not only directed toward sport hunting. Muth, Daigle, Zwick, and Glass (1996, pp.422-423) report that trapping is also being targeted by animal rights organizations, and state the following:

...trapping is increasingly coming under siege from postindustrial social values, in this case, by animal rights advocates who perceive furbearer harvest as a frivolous use of wildlife resources

and/or an inhumane practice that deserves to be banned.

Kellert (1996, p.74) goes on to note that the development of antihunting sentiment coincided with the feminist movement, and claims that females comprise some eighty percent of antihunters. In contrast, he notes that the majority of hunters are male. Moreover, Heberlein (1991, p.529) reports that the most negative attitudes with regard to hunting are found among urban residents as well as women.

Heberlein (1991, p.529) asserts that the efforts of animal rights groups should not be taken lightly:

The general philosophies being espoused by animal rightists and deep ecologists are not simply philosophies of those on the fringes of society. Rather, they are philosophies gaining currency as an extension of western liberalism and ecological philosophies. They are consistent with and perhaps even fueled by wildlife management rhetoric which speaks of compassion for life (species, not individual) and habitat preservation.

Moreover, given the social changes that are taking place in our society, Heberlein (1991, p.529) predicts that in the future sport hunting will be threatened because "...hunter numbers will decline and sport hunting increasingly will be viewed as an antisocial act among the most numerous groups in society."

It is incorrect to assume that the loss of wildlife due

to illegal hunting activities is of concern only to individuals who participate in hunting related activities. Poaching threatens not only hunters who enjoy wildlife for sporting purposes but also results in a loss of opportunities for other members of society to enjoy wildlife. This would include those who prefer to consider themselves "nonconsumptive" users and who simply enjoy the experience of viewing wildlife in its natural habitat or even just having the satisfaction of knowing that it is out there (Heberlein 1991). Also, Kellert (1996, p.79) reports that wildlife tourism has increased in recent years and suggests that it may generate thirty billion dollars per year, which amounts to ten percent of the world tourism market.

Types of Poaching

There are several types of poaching, each of which involves somewhat different motivations for illegally taking wildlife. It should be noted, however, that these categories are not necessarily mutually exclusive and in some instances may overlap, especially in the case of trophy and market poaching. For example, someone may poach a trophy animal, and then sell the head for profit (commercial poaching). Nonetheless, Brymer (1991) identified four types

of hunting/poaching subcultures.

The first type falls under the general category of commercial poaching, and involves what Brymer terms market hunters. This type of poaching is clearly profit-motivated and is accomplished by individuals whose sole purpose "...is to kill large numbers of commercially valuable game animals and to sell them on the black market" (Brymer 1991, p.179).

An example of commercial poaching involves individuals who illegally kill black bears and then take various parts, such as the gall bladders, to sell on the black market. In some Asian countries, gall bladders are used for medicinal purposes. Since black bears are not very abundant in these countries, these body parts are very valuable commodities. Citing the work of Best and Luckenbill (1982), Brymer maintains that the activity of market hunters is highly organized.

Although commercial poaching activities have been given a great deal of attention and publicity in the media, it has been suggested that the cumulative impact of noncommercial poaching activities, because of its greater frequency, may pose an equal threat to the well-being of wildlife populations (Musgrave et al. 1993, p.982).

There are several types of noncommercial poaching, each of which involves the illegal killing of wildlife for a

purpose other than profit (Musgrave et al. 1993). One category identified by Brymer (1991) are trophy hunters, which are individuals who illegally take wildlife for the purpose of obtaining a trophy animal, usually to mount the head or hide on a wall in the confines of a residence, office, or business (Bergman 1996).

Musgrave et al. (1993) claim that during the past several years, trophy hunting has become more popular in the Western region of the United States. With their abundance of wildlife resources, Western states have had to contend with increasing levels of trophy poaching activities. It has been pointed out that this type of poaching sometimes occurs in connection with the services of a hunting guide (Brymer 1991), and trophy animals that have been poached may be sold for profit as well (Musgrave et al. 1993).

Another type of poaching involves what Brymer (1991) calls tourist hunters. According to him, these individuals generally reside in urban areas, do not use the services of guides, and generally violate game laws with their friends in unfamiliar areas. This type of poacher is similar to the profile of the "opportunistic poacher" identified by Musgrave et al. (1993, p.983), which is an individual who takes wildlife illegally simply because an opportunity presents itself and he believes he will not be apprehended.

Also, Musgrave et al. (1993, p.983) provide a profile of the so-called "slob hunter," which is someone who violates game laws "...out of sheer greed, indifference to hunting laws and conservation, or ignorance of any laws concerning protection of wildlife."

The final category of poaching subcultures identified by Brymer (1991) consists of what he calls local rural hunters. In his case study of this type of hunting/poaching subculture, Brymer (1991, p.180) states that these individuals "...are traditional hunters whose activities are holdovers from a preindustrial, agrarian communal/familial network."

Hunting is a traditional way of life for these individuals, and the advent of state laws regulating the taking of wild game made many of their traditional hunting activities illegal. Brymer points out that these individuals consume the game that is taken illegally. Musgrave et al. (1993, p.985) note that subsistence poaching (i.e. poaching for food) is more likely to occur in rural regions of the country where poverty is widespread.

Studies on Poaching

Previous empirical studies on poaching have been rooted at the individual or micro-level. In general, support has

been found for differential association theory in studies that have been conducted on poaching, in that individuals learn the necessary attitudes and techniques to take wildlife illegally and are therefore socialized into the practice of poaching (Green 1990; Curcione 1992; Forsyth 1993a; Forsyth & Marckese 1993a & 1993b).

In a study of individuals who violated aquatic wildlife laws in California, Curcione (1992) reported that other than committing violations of fish and game laws on a regular basis, the individuals he interviewed did not have criminal records and were generally law-abiding citizens. Consistent with differential association theory, Curcione (1992) also found that most of the individuals he interviewed had been socialized into the activity by a family member at a very young age. He reported that these individuals learned a set of values as well as the techniques that were necessary to carry out the violations of aquatic wildlife regulations (p.44).

For these individuals, party-boat fishing is a social event in which they attempt to achieve respect and recognition from their fellow anglers. Curcione (1992, p.44) states:

While a modicum of admiration accrues to those who demonstrate proficiency in various facets of the sport such as casting ability and knot tying, the principal determinant of respect is the number of

fish one manages to catch. Succinctly stated by one of the poaching group, "The name of the game out there is how many you put on deck."

Moreover, Curcione noted that the poachers considered themselves to be law-abiding citizens in spite of their frequent violation of fish and game laws. In this regard, Curcione (1992, p.44) states that "...subjects were fully knowledgeable regarding the regulations. Instead, they chose to regard the infractions not as violations per se, but as evidence of their demonstrated expertise." Thus, for these individuals exceeding the legal limit of fish was a means by which they attempted to impress their fellow anglers.

In *The Georgia Deer Jacker*, Green, Phillips, and Black (1988, pp.561-562) examined characteristics of individuals who hunt deer illegally. "Deer jacking" involves the illegal hunting of deer at night by shining bright lights into the eyes of animals, which freezes them in place and allows an individual to easily shoot them. They reported that offenders in their study in southwest Georgia ranged in age from 13 to 64 years old, with a median age of 27. The majority of violators (72.6%) were between 18 and 37 years of age.

In addition, females constituted only 2.2% of the violators. In terms of race, the overwhelming majority

(95.1%) were white. Green et al. (1988, p.562) state "Deer jacking, then, is predominated by young white males."

In a study of deer poachers who had been arrested in Georgia, Green (1990) reported that most of the individuals had been introduced to poaching by either close relatives or close friends at a young age. He also found that they learned certain techniques from these same individuals for avoiding detection as well as techniques that allowed them to increase their yield of game. He also reported that most of the individuals he interviewed lacked respect for other wildlife laws, and were generally guilty of committing numerous offenses involving wildlife.

In a study of poachers in Louisiana, Forsyth and Marckese (1993b) drew parallels between the value systems of poachers and Miller's (1958) six focal concerns of urban, lower class culture.

Forsyth and Marckese found that poachers possessed five of Miller's six values as reasons for their poaching activities, including trouble, toughness, excitement, autonomy, and smartness. However, the value of fate was not found to be associated with poaching. This is because poachers were proud of their clever skills, and did not believe that they needed to be lucky in order to avoid getting apprehended.

Similar to Curcione's finding, Forsyth and Marckese reported that all of the individuals they interviewed had been exposed to poaching by close family members, thus lending support for differential association theory. They state that all of the subjects in their study "...were introduced to poaching by a family member, usually a father or grandfather. All continued to receive support from family and significant others and most continued to poach with them" (Forsyth and Marckese 1993b, p.161).

In another article, Forsyth and Marckese (1993a) identified three categories of rationalizations used by poachers in order to excuse and justify their participation in this illegal activity.

First of all are rationalizations that fall under the guise of *Others Are Worst*. They state that this involves attempts by individuals "...to justify actions by showing how the actions of others are worst, in doing so he tries to neutralize the negative impact and accountability of his actions" (Forsyth & Marckese 1993a, p.22). This is similar to the technique of neutralization identified by Coleman (1994), "the claim that everyone else is doing it."

The second category of rationalization identified by Forsyth and Marckese (1993a) is *Our Own Code Guides Us*. They report that this involved attempts by poachers "...to

show that they have norms of their own, which they follow" (Forsyth & Marckese 1993a, p.23).

The third and final category of rationalization identified by Forsyth and Marckese is *We Are Good Folk*. This type of rationalization is similar to the technique of neutralization introduced by Klockars (1974) called "the metaphor of the ledger." Forsyth and Marckese (1993a, p.24) state "These poachers felt that if they were hard working individuals and good family men, then that should compensate for any illegal activity on their part."

The law enforcement officers whose primary responsibility is to monitor and apprehend violators of wildlife laws are game wardens and conservation officers. Game wardens generally work alone and in very secluded areas, which makes their job a dangerous one. Indeed, the task of confronting armed individuals in remote areas poses a very serious threat for the safety of game wardens. In extreme instances, game wardens have even been killed in the line of duty. For example, in 1981 Claude Dallas shot and killed two game wardens in Idaho (Baird 1983; Long 1985).

Related studies have examined the role of game wardens as well as their interactions with poachers (Palmer & Bryant 1985; Forsyth 1994; Forsyth 1993a; & Forsyth 1993b).

From a series of interviews with current as well as

retired game wardens from Louisiana, Forsyth (1993a) reported that inexperienced poachers were much more likely to get caught for their illegal activity than more experienced ones. Based upon the responses provided, he states "The inexperienced poacher is easy to catch owing to the poacher's lack of knowledge regarding both the formal and informal rules of the game" (Forsyth 1993a, p.218). This provides further support for learning theory in that there appear to be certain "rules of the game" that poachers must know if they are to be successful in their endeavor.

Forsyth (1993a, pp.219-220) also reported that the game wardens indicated that the poachers who were the most difficult to apprehend had three things in common. First of all, they were very experienced. Second, they were seclusive and generally worked alone. And finally, they kept very quiet about their poaching activities. The game wardens indicated that many poachers are apprehended because they are very vocal and brag about the success of their illegal activities to others.

From a series of interviews conducted with state game wardens in Louisiana, Forsyth (1993b) reported that seriousness of the crime played a key role in the use of discretion among offenders. More specifically, the officers he interviewed were willing to be more lenient when dealing

with offenses that were not too serious in nature or that involved individuals who poached for survival. However, they were not willing to use discretion when individuals killed endangered species, which they considered to be off limits at all times to anyone.

The sociological literature suggests that there is strong support for socialization into this particular type of deviant activity (Green 1990; Curcione 1992; Forsyth and Marckese 1993a). However, with the exception of Curcione's (1992) study of violators of aquatic wildlife laws in southern California, the few poaching studies which have been conducted have been limited to examination of offenders from local rural subcultures.

This means that additional studies on poaching are needed to enhance our understanding of the problem. Forsyth (1994, p.60) states that "Research efforts must also be directed toward the characteristics of poachers." Thus, there is a need for studies to examine the characteristics of trophy poachers, as no empirical studies have been conducted on trophy poaching to date. There is also a need for studies to examine characteristics of poachers in the rocky mountain region of the United States.

Macro Level Theoretical Perspective

Individuals are likely to poach for a variety of reasons. For example, the market hunter or commercial poacher is driven to poach in order to make a personal profit. An individual who belongs to a local rural subculture may poach because it is a traditional activity, because he needs the meat, or even perhaps to show defiance to the state's control of wildlife resources.

This paper is concerned with the phenomenon of the poaching of trophy wildlife resources. On the face of it, it would appear that individuals who poach trophy animals do so because of lack of self control, selfishness and greed. These may all be valid reasons for poaching, but perhaps an even greater reason for illegally taking a trophy game animal has to do with a desire to be successful.

All too often in sociological studies there has been a tendency to focus on theories at the micro or social psychological level, while at the same time neglecting larger structural forces that play a role in shaping individual behavior. This study draws extensively from the work of Coleman (1994) on the phenomenon of white collar crime, and as such examines the role that a political economy of industrial capitalism has played in regard to generating deviant behavior. More specifically, it argues that part of the motivation for individuals to take trophy

big game animals illegally is rooted in the structure of industrialized society and the resultant culture of competition that has emerged from it.

Coleman (1994) claims that many hunting and gathering societies are characterized by reciprocal exchange, in which social relations are very egalitarian and there is a great amount of sharing among individuals. On the other hand, he claims that modern industrial societies, with a surplus of wealth, are characterized by market exchange. This leads to a culture of competition in which competition is viewed as a positive thing. He stresses that not only does it lead to a desire for wealth and financial gain, but that it also leads to a desire to be successful in whatever a person does. He cites as an example the soap-box derby, in which there is no monetary reward involved, yet many individuals go to great lengths to cheat in order to be successful by being winners (Coleman 1994, p.196). Competitiveness is a distinct part of the American way of life.

Kellert (1996, p.73) claims that individuals who participate in sport hunting are attracted to this type of hunting because of its competitiveness as well as the opportunity for social camaraderie that it affords. He claims that about one-third of the individuals who participate in hunting may be classified as sport hunters;

the others are either nature hunters or meat hunters. The following passage illustrates the motivation of the sport hunter (Kellert 1996, pp.73-74):

Dominionistic attitudes are most pronounced among sport hunters, who relish the chance for exercising skill and asserting mastery over a presumably worthy opponent. The social benefits constitute another important motivation, especially the opportunities for male hunters to bond with other men.

...The dominionistic sport hunter covets most the opportunities for competition, conquest, and the exercise of dominance afforded by the hunting experience. Game animals signify an object of success and achievement rather than a subject of affection, intellectual curiosity, or practical value. Hunting represents more a human than animal-oriented activity, pursued mainly for its social rather than nature-related benefits. For most sport hunters, hunting provides valued opportunities for competition, camaraderie, and challenge. Lacking these qualities, the activity has little meaning or attraction.

Thus, it is evident that a central feature of sport hunting is its competitiveness.

Micro Level Theoretical Perspective--Neutralization Theory

At the micro level of analysis this study uses neutralization theory. It was introduced to the sociological literature forty years ago by Sykes and Matza (1957). Rogers and Buffalo (1974, p.318) define neutralization as "...a method whereby a person renders behavioral norms inoperative, thereby freeing himself to

engage in behavior which would otherwise be considered deviant."

Coleman (1994) claims that techniques of neutralization generally amount to rationalizations that individuals use in order to justify particular types of deviant actions. In other words, these techniques allow an individual to neutralize, in his or her mind, behavior that goes contrary to accepted cultural norms. Coleman (1994, p.202) defines a technique of neutralization as "...a device that enables individuals to violate important normative standards, but to neutralize any definition of themselves as deviant or criminal."

According to Dodder and Hughes (1993, p.65) neutralization theory maintains "...that delinquent youth do not reject prevailing moral principles, but accept them while simultaneously finding excuses or temporary justifications for behavior which run counter to these values."

Thus, neutralization does not involve a total rejection of the dominant cultural values of the society in which they live, but instead involves the acceptance of those values while at the same time making exceptions to those values that excuse their misbehavior.

The use of neutralization techniques involves a

redefinition of the situation by individuals so that they do not feel guilty about engaging in deviant acts. Alvarez (1997, p.169) states the following in this regard:

...the use of these techniques is not always a completely conscious process and, as suggested before, the neutralization of norms involves subtle shifts in the definition of a situation as human beings continually try to frame their actions and experiences within the acceptable, understandable construct of values.

Sykes and Matza (1957, p.666) point out that techniques of neutralization are not only used as justifications after an act has been committed, but suggest that "...there is also reason to believe that they precede deviant behavior and make deviant behavior possible." Thus, neutralization techniques serve as justifications for deviant behavior in an individual's mind before misbehavior occurs.

Indeed, Coleman (1994, p.202) states that "...techniques of neutralization are not just *ex post facto* rationalizations--they are available to the potential deviant before the offense actually occurs and form part of the motivation for the original act."

It has been pointed out that the key point, however, is simply whether or not a person neutralizes. In this regard, Dunford and Kunz (1973, pp.5-6) state:

Deviant acts may precede and/or follow dissonance resolution (Sykes and Matza, 1957: 666). We are of the opinion, however, that deviant behavior and dissonance reduction processes are just that

--processes. Whether the individual neutralizes dissonance before or after the fact, at one point in time or at several points in time, does not change the fact that he does so.

In their original formulation of neutralization theory, Sykes and Matza (1957, pp.667-669) identified five techniques of neutralization: *the denial of responsibility, the denial of injury, the denial of the victim, the condemnation of the condemners, and the appeal to higher loyalties.*

Five additional neutralization techniques were subsequently introduced by others including Minor (1981): *the defense of necessity*, Klockars (1974): *the metaphor of the ledger*, and Coleman (1994): *the denial of the necessity of the law, the claim that everybody else is doing it, and the claim of entitlement*, so that there are currently a total of ten neutralization techniques at the present time in the literature (Collins 1994). Each of the ten techniques will be described in this section.

First is *the denial of responsibility*. It involves an attempt by an individual to lessen or negate personal accountability for his or her deviant actions by claiming that he or she is not responsible for it. According to Dodder and Hughes (1993, p.68), the central idea behind the denial of responsibility is that "...insofar as youth define

themselves as lacking responsibility for their deviant acts, their normal inhibitions become sharply reduced as constraining influences," thus making it easier for deviant behavior to occur.

Sykes and Matza (1957, p.667) contend that this often takes the form wherein individuals may attempt to rationalize deviant actions as an "accident" or even claim that their actions "...are due to forces outside of the individual and beyond his control such as unloving parents, bad companions, or a slum neighborhood." This redefinition of the situation serves to divert responsibility from the individual to other outside forces and thus serves to facilitate deviant behavior.

The second technique of neutralization is *the denial of injury*. It involves the claim by an individual that no one was harmed by his or her deviant actions. Sykes and Matza (1957, p.668) point out that the denial of injury occurs when a person "...feels that his behavior does not really cause any great harm despite the fact that it runs counter to law."

Using the denial of injury, Sykes and Matza point out that the link between acts and their consequences is able to be broken. For example, Rogers and Buffalo (1974, pp.316-317) state that during the process when a delinquent is

deciding if his actions harm anyone a variety of interpretations may be offered such as when "...vandalism is called mischief or of little consequence; auto theft is viewed as borrowing; gang fighting is defined as a private quarrel which should be of no concern to the community."

The third technique of neutralization identified by Sykes and Matza is *the denial of the victim*. It occurs when a person claims that because of the circumstances surrounding the incident, the victim of his or her deviant actions is somehow deserving of the injury that is inflicted upon them.

Sykes and Matza (1957, p.668) claim that the offender does not view the injury as an actual injury but as "...a form of rightful retaliation or punishment. By a subtle alchemy the delinquent moves himself into the position of an avenger and the victim is transformed into a wrong-doer." Also, Dodder and Hughes (1993, p.69) point out that "...to deny that there has been a victim focuses more on the concept of victimization than on whether an act is illegal."

The fourth technique is *the condemnation of the condemners*. According to Sykes and Matza (1957, p.668), it occurs when "The delinquent shifts the focus of attention from his own deviant acts to the motives and behavior of those who disapprove of his violations." Sykes and Matza

(1957, p.668) point out that this may result in a deviant individual viewing his condemners as "...hypocrites, deviants in disguise, or impelled by personal spite."

By focusing on the perceived wrongfulness of the condemners, the offender is able to justify his deviant actions in his own mind and is thus able to feel more comfortable with the situation since "...the wrongfulness of his own behavior is more easily repressed or lost to view" (Sykes & Matza 1957, p.668).

The fifth and final technique of neutralization identified by Sykes and Matza is *the appeal to higher loyalties*. Sykes and Matza (1957, p.669) contend that "...internal and external social controls may be neutralized by sacrificing the demands of the larger society for the demands of the smaller social groups to which the delinquent belongs." Some of an individual's social groups are perceived to be of greater importance than others, and as a result the norms of these groups take precedence over others.

However, this does not mean that the norms of the larger society are rejected. Indeed, Sykes and Matza (1957: 669) state that "...deviation from certain norms may occur not because the norms are rejected but because other norms, held to be more pressing or involving a higher loyalty, are

accorded precedence."

Minor (1981) introduced an additional technique of neutralization: *the defense of necessity*. Describing the defense of necessity, Minor (1981, p.298) states "If an act is perceived as necessary, then one need not feel guilty about its commission, even if it is considered morally wrong in the abstract." Thus, if an individual feels that it is necessary to commit an act that is generally considered wrong, the normal inhibition against committing such an act will be reduced in the individual's mind.

Klockars (1974), in a work called The Professional Fence, introduced another technique of neutralization: *the metaphor of the ledger*. It involves the idea that individuals who commit deviant acts sometimes consider themselves to be good people, and may claim that their deviant acts were mistakes or do not occur very often (i.e. claim that it was an isolated incident).

It entails a comparison of good versus bad deeds, and an attempt by the deviant individual to demonstrate that his or her positive actions outweigh the negative ones.

Klockars (1974, p.152) describes the metaphor of the ledger as follows:

A metaphorical ledger is equally useful in evaluating life histories: good in the credit column is balanced against evil in the debit column. Thus, acts of charity and benevolence

offset entries of greed or selfishness. It is an attractive metaphor. From the scales of justice to the Great Book of St. Peter, the notion of a balancing between good and evil has proven to be a persuasive one for the common comprehension and consideration of penance, indulgence, grace, judgment, atonement, salvation, and contrition.

Coleman (1994) identified three additional techniques of neutralization. Collins (1994) points out that these three neutralization techniques have received little attention in the neutralization theory literature. First is *the denial of the necessity of the law*. It claims that individuals will attempt to "...justify their behavior by claiming that the law itself is unnecessary or unjust" (Coleman 1994, p.204). Thus, some individuals feel that the law is not fair and just and will be tempted to use this as a justification for committing deviant acts.

A second neutralization technique introduced by Coleman (1994) is *the claim that everybody else is doing it*. Some individuals will attempt to justify their deviant behavior by suggesting that everyone else is participating in it as well, thus making it seem as though it is a routine, even if not completely legitimate, activity in which to participate.

Coleman (1994, pp.205-206) states that this technique "...holds that it is unfair to condemn one violator unless all the other violators are condemned." Thus, many individuals may feel that they should not be held

responsible for their violations of normative expectations unless other violators are held responsible for their misbehavior as well.

The third technique of neutralization introduced by Coleman (1994) is *the claim of entitlement*. It involves the idea that an individual may feel that he or she is in some way deserving of the gains of a crime, which thus serves to neutralize any negative effects in the offender's mind and allows him or her to carry out the crime without any reservations or remorse.

Studies of Neutralization Theory

A number of empirical studies on traditional delinquency and serious crime have provided support for neutralization theory (Rogers & Buffalo 1974; Minor 1981).

Studies examining neutralization theory have not been limited to traditional delinquency. For example, Levi (1981) examined strategies used by professional hit men to carry out their duties as hired killers. He found that independent killers who worked alone and were paid on a contractual basis used strategies that allowed them to deny responsibility for the killing and to deny the victim as well as to deny injury. On the other hand, he suggested that organized killers, who belong to an organization and do

not utilize contracts, may justify their behavior by appealing to higher loyalties.

Also, Brennan (1974) examined neutralization techniques in relation to abortion. Neutralization theory has also been examined in relation to marijuana smoking (Priest & McGrath 1970) and religious dissonance (Dunford & Kunz 1973). More recently, it has been applied to the study of genocide (Alvarez 1997).

The following assumptions were generated regarding deer poaching, which is defined as the illegal taking of deer (either during or outside of the legal hunting season): 1) Individuals who poach believe in the dominant normative system of society; 2) Individuals who poach believe in the moral principle associated with poaching (i.e. poaching is wrong); and 3) Individuals who poach and who believe in the moral principle that poaching is wrong use neutralization techniques in order to avoid having a guilty conscience. Thus, deer poaching occurs because of the use of neutralization techniques by individuals who are committed to the norms of society.

The purpose of this research project is to make a contribution to the social science literature on poaching by examining neutralization theory as it relates to poaching behavior and providing a descriptive account of the

neutralizations used by poachers. Following the advice of Dodder and Hughes (1993), who suggest that studies of neutralization theory need to take into account whether or not individuals believe in the moral principle that they are making exceptions to, this study includes a moral principle. As such, this study attempts to determine if individuals who poach believe that poaching is wrong. Moreover, it also seeks to determine if individuals who poach use neutralization techniques to neutralize their belief in the moral principle in order to participate in poaching activities.

CHAPTER IV

METHODS

In chapter two, this study drew heavily on secondary sources in order to provide an historical account of the origin and development of laws that prohibit poaching. It is hoped that a greater understanding of the sociological origin of poaching laws will contribute to a greater understanding of the deviant nature of illegal hunting behavior.

In the first phase of the research project, a random sample survey was conducted among individuals in the state of Colorado who were cited for illegal deer possession from 1990 to 1996. Letters requesting assistance in identifying subjects for the project were mailed to the director of the division of wildlife of eight western states. Four of the states did not send a reply, two of the states sent summaries of yearly wildlife offenses and poaching information/literature, and one state sent a letter indicating that they would not be able to assist with my request for information. Colorado was the only state that agreed to assist with this study.

The Colorado Division of Wildlife furnished the names and addresses of individuals cited for illegal deer possession in the state from 1986 to 1996. A sample

consisting of 875 of the most recent individuals were sent a questionnaire in the mail asking them to describe some of their attitudes and activities regarding hunting laws and other issues.

Each subject received an eight page survey as well as a cover letter that described the purpose of the study. A copy of the questionnaire and the cover letter are located in the appendix. Also enclosed was a business reply envelope addressed to the researcher. It was hoped that a higher response rate would be achieved by minimizing the costs of returning the survey. Because of the high cost of first class mail and the limited budget of the researcher, the decision was made to send the surveys using third class postage. The envelopes were metered, however, in order to give them the appearance of being first class as much as possible. However, some of the surveys did go out first class. Officials at mailing services claimed that this was because addresses or zip codes that are "nonautomatable" cannot handle third class mail.

Two months after the surveys were mailed, forty-two completed surveys were returned (N=42), which yielded a response rate of 4.8 percent. However, it should be noted that 72 of the surveys that were mailed first class were returned to the researcher from the post office because

subjects did not reside at the address on the envelope. Thus, the response rate would be higher if only those who received the survey are taken into account. The postal service does not return postage that is mailed third class, making it impossible to know exactly how many of the individuals actually received the survey.

In addition, ten subjects did not return the survey but instead sent letters or notes in an attempt to explain their situation and/or vent their hostility to the researcher about receiving the survey. Many of these letters and comments had to do with individuals attempting to neutralize their actions, and were thus used as data in the discussion section in chapter six.

Since these individuals had already been cited for illegal hunting violations this research did not pose any legal risks to the subjects. Also, when the mail surveys were returned, the researcher destroyed any forms containing the subject's name, thus making it impossible for the researcher or anyone else to identify the subjects.

The low response rate that the survey generated may be attributed in large part to the not only deviant but criminal nature of poaching. Individuals involved in poaching face the potential of severe penalties including large fines, jail time, forfeiture of equipment (i.e. guns

and vehicles) used in the offense, and loss of hunting privileges. Thus, there is a high cost associated with poaching and most hunters are aware of the potential consequences.

Table I shows demographic characteristics of subjects who returned the questionnaire.

The mean age of subjects in the Colorado sample was 44.54. The median age of subjects was 43, and the ages ranged from 20 to 72. The age at the time of the offense would be somewhat lower than the mean age since these individuals were cited between one to seven years before this research project took place. Nonetheless, over half (59%) of the subjects were forty years of age or older.

While the age range of subjects is consistent with those reported in previous studies, the subjects in this study are older than those reported in other studies of poaching and may be older than the general population of poachers. For example, Glover and Baskett (1984, p.104) reported a mean age of 28 years in their study of closed-season deer poachers and indicated that more than half of the poachers were under the age of twenty-six.

Similarly, Green et al. (1988, p.561) reported an average age of 28.16 and a median age of 27 in their study. Thus, given these considerations it is possible (if not

TABLE I
 DEMOGRAPHIC CHARACTERISTICS OF
 COLORADO DEER POACHERS

Characteristic	n	Percentage of Total
Age		
20-29	5	14
30-39	10	27
40-49	12	32
50-59	3	8
60-69	3	8
70+	4	11
Sex		
Male	37	97
Female	1	3
Income		
\$14,999 or less	5	15
\$15,000-\$24,999	2	6
\$25,000-\$34,999	5	15
\$35,000-\$49,999	4	12
\$50,000-\$74,999	8	23
\$75,000 or more	10	29
Education		
Some High School	5	13
High School Graduate	7	19
Some College	15	41
BS/BA Degree	5	13
Graduate Work	1	3
Graduate Degree	4	11
Marital Status		
Married	31	84
Single	4	11
Separated		
Divorced	2	5
Widowed		
Residency		
Colorado Resident	24	59
Nonresident	17	41

likely) that subjects in the sample were older than those in the overall population of offenders. Although there was no danger involved with responding to the survey, perhaps older individuals felt less threatened about divulging information than did younger subjects. It is also possible that older subjects were more likely than younger ones to feel a need to help a graduate student with a project.

In terms of sex, ninety-seven percent of the subjects were male and only three percent were female. This is to be expected, since males comprise the vast majority of deer hunters and are more likely to be associated with this type of outdoor recreational pursuit.

Fifteen percent of the subjects had total household incomes of \$14,999 or less, six percent had incomes of \$15,000 to \$24,999, and fifteen percent had incomes of \$25,000 to \$34,999. Twelve percent had incomes in the \$35,000 to \$49,999 category, while twenty-three percent had incomes in the \$50,000 to \$74,999 range. Nearly one-third (29%) of the subjects had total household incomes of \$75,000 or greater. Thus, over half of the subjects in the sample (52%) had incomes of \$50,000 or greater.

In terms of education, thirteen percent of the subjects had some high school, nineteen percent were high school graduates, forty-one percent had some college, thirteen

percent had a bachelor's degree, three percent had done some graduate work, and eleven percent had a graduate degree.

In terms of marital status, the vast majority were married (84%). Eleven percent were single and had never been married, while five percent were divorced.

Fifty-nine percent of the subjects in the sample were Colorado residents, while the remaining forty-one percent of subjects were residents of other states.

In regard to occupation, most of the individuals in the sample were employed in blue-collar types of work. Nine of the forty-two individuals did not list their occupation. Of the remaining thirty-three subjects, the most common type of job was that of construction worker/heavy equipment operator (7). Four subjects were mechanics, three were truck drivers, and four were involved in agricultural jobs (farmers, ranchers, dairymen). Other occupations listed included manager, optician, welder, pilot, police officer, unemployed, realtor, nurse, health insurance specialist, and self-employed. In addition, several individuals were retired and a couple were veterans.

In-Depth Interviews

The second part of the research project consisted of in-depth interviews with poachers. Ethnographic data

obtained from interviews was used to clarify and elaborate on the information that was obtained from the survey. It is reported in the discussion section along with letters and comments that were received regarding the survey. These individuals had been cited for illegal deer possession in Colorado and agreed to be interviewed by providing their telephone number at the end of the questionnaire. Of the forty-two subjects who returned a completed survey, fifteen agreed to be interviewed over the telephone, and thirteen in-depth interviews were conducted with these individuals. The researcher was unable to contact the two other individuals who agreed to be interviewed.

In addition, interviews were conducted with three of the individuals from Colorado who were sent a questionnaire and who responded to the researcher via letter or telephone (but who did not return the questionnaire) as well as with four other individuals who had poached but had not been caught. Personal contacts of the researcher were used to obtain the remainder of the subjects interviewed in this portion of the study.

Also, five game wardens from Idaho, Utah, and Wyoming were interviewed in order to provide additional information from the law enforcement perspective on the poaching problem in the western U.S. They also provided important

information about the neutralization techniques that poachers use when they are apprehended.

Game wardens were identified through personal contacts of the researcher and a snowball method of selection. The five game wardens that were interviewed ranged from 40 to 50 years of age. They also had a great deal of experience on the job. Indeed, the wardens had a combined eighty-six years of wildlife law enforcement experience, which amounts to an average of 17.2 years of experience each in dealing with offenders.

A total of twenty-five in-depth interviews were conducted with poachers and game wardens. Interviews took place from April to October of 1997, and lasted from approximately thirty minutes to three and one-half hours. An in-depth interview format is useful to obtain information from subjects when a researcher is studying a topic that is sensitive (Biernacki & Waldorf 1981). For example, using the snowball method of locating subjects, Hathaway (1997) conducted in-depth interviews with thirty marijuana users. This method has also been used to study poachers (e.g. Forsyth & Marckese 1993a; Forsyth & Marckese 1993b; Curcione 1992). In an article about residential burglars, Wright, Decker, Redfern, and Smith (1992) provided an extensive description of how they used the snowball method to locate

105 active offenders.

When conducting ethnographic research it is important for a researcher to establish rapport with the subjects. Tewksbury and Gagne (1997, p.128) state that "Rapport is critical between researchers and those researched. The importance of a strong, positive rapport is intensified when the research endeavor involves a sensitive topic or a stigmatized population." Deviant groups that are involved in illegal activities are often very concerned about the threat posed by informants and undercover law enforcement personnel. In their discussion of the task of establishing rapport while conducting participant observation with deviant populations, Berk and Adams (1970, p.104) point out that many of these groups are naturally suspicious. This makes the task of establishing rapport very difficult for a researcher.

Biernacki and Waldorf (1981, p.144) point out that one problem in generating a sample of subjects has to do with the social visibility of the population that one intends to study. They note that some populations, such as school teachers and nurses, are relatively easy to locate and get access to in order to study. They point out that other populations have low social visibility, and as a result are not easy to locate and get access to. Biernacki and Waldorf

(1981, p.144) state the following in this regard:

Other possible study populations, because of the moral, legal, or social sensitivities surrounding the behavior in question, have a very low visibility and, as a result, pose some serious problems for locating and contacting potential respondents. This would be true, for example, if one wished to study arsonists who were not in institutions, women who had undergone abortions, or, in the case of the study discussed here, ex-heroin addicts--particularly those who had never been in treatment.

The Questionnaire

The survey instrument to be used in this study contains questions that are designed to measure subjects illegal hunting behavior and to elicit subjects attitudes toward hunting and wildlife issues. It contains questions that deal with the degree of importance these individuals place on obtaining a trophy animal.

The survey instrument also contains questions designed to indicate whether or not subjects poach trophy animals so that comparisons can be made between trophy poachers and other types of poachers.

Techniques of Neutralization

Moral Principle Minor (1981) argues that we should not assume that all individuals subscribe to a common value system. Minor (1981, p.300) claims that it is more likely

that considerable variation exists regarding the degree to which individuals are committed to the norms and values of society, and states that "...not everyone who commits a crime needs to neutralize. Neutralization is unnecessary for those who are committed to deviance."

Thus, if individuals are not committed to the dominant normative system in society and instead have a commitment to deviance, there is no need for them to attempt to neutralize their behavior. It is for this reason that Dodder and Hughes (1993, p.70) suggest that in studies of neutralization theory it is important to assess the degree to which individuals agree with "...the underlying moral principle to which they were making exceptions."

Thus, this study includes an item designed to measure the extent to which subjects agree with the underlying moral principle involving poaching: "Illegal deer hunting is wrong." If individuals do not think that there is anything wrong with illegal deer hunting, they do not need to neutralize.

Situational Ethic The questionnaire also contains an item designed to measure the extent to which subjects agree with a situational ethic (Dodder & Hughes 1993) in relation to poaching. A situational ethic involves a rationalization or justification that is legally acceptable: "Hunting deer out

of season is generally wrong, but is okay in certain circumstances such as when a person is being attacked by an animal."

Since the main focus of this study was to examine the techniques of neutralization used by deer poachers, the questionnaire also contains a series of ten items developed by the researcher that are intended to measure the extent to which subjects justify or rationalize their illegal hunting behavior by subscribing to the ten techniques of neutralization that were discussed in the previous chapter.

Statements were designed to measure each neutralization technique in the context of illegal deer hunting. These items have response categories that are arranged in a Likert-type scale format and ask subjects to indicate the extent to which they agree or disagree with the item under consideration.

The first technique of neutralization, the denial of responsibility, was measured by the following item: "I didn't intend to kill a deer illegally, it was an accident." The denial of injury is reflected in the statement: "Shooting a deer out of season is okay because it is not harmful." The denial of the victim was measured by the following statement: "Hunting deer out of season is okay because it helps to control the deer population."

The fourth technique of neutralization, the condemnation of the condemners, was measured by the following item: "Game wardens sometimes hunt deer illegally." The appeal to higher loyalties was measured by the item: "Sometimes I hunt deer illegally with my family because my family is more important than the law." The defense of necessity was measured with the following statement: "Sometimes hunting deer illegally is necessary to get meat."

The seventh technique of neutralization, the metaphor of the ledger, was measured by the following item: "A person can be a conscientious hunter even though they sometimes hunt illegally." The eighth technique is the denial of the necessity of the law, and it was measured by the following statement: "Deer hunting regulations are not fair."

The ninth technique of neutralization is the claim that everyone else is doing it. It was measured with the statement: "Most deer hunters hunt illegally at some point in their life." The tenth and final technique of neutralization is the claim of entitlement, and it was measured by the following item: "It is an individuals right to hunt deer whenever they want."

Although this study was primarily concerned with neutralization theory, other items were also developed and

included in the study in order to obtain as much information as possible on poaching. These items dealt with things such as deterrence, the importance placed on getting a trophy deer, feelings toward the Colorado Division of Wildlife, and a variety of other information about poaching behavior. A copy of the actual survey is located in Appendix B.

Reliability

This study uses a questionnaire with close-ended standard questions and statements in an attempt to achieve the greatest degree of consistency. Babbie (1989, p.255) notes that giving a standardized stimulus to all subjects "...goes a long way toward eliminating unreliability in observations made by the researcher." However, since not all of the desired data is amenable to this type of questioning, this study also uses a few open-ended questions in some instances in order to achieve as much precision and detail as possible.

Following the advice of Fowler (1993, pp.69-79), the questions and statements in the questionnaire were worded as carefully as possible in order to enhance reliability as much as possible. More specifically, the researcher has attempted to word the questions as unambiguously as possible so that the measures provide consistent meaning to all of

the respondents. Indeed, Babbie (1989, p.255) states that "...careful wording of the questions can also reduce significantly the subject's own unreliability."

The questionnaire was pretested among several individuals in order to identify questions that may be difficult for subjects to understand so that they could be modified.

Validity

Validity has to do with the accuracy of a measure. That is, does a particular item accurately measure the concept that it is intended to measure, or does it really measure something else? Fowler (1993, p.80) defines validity as "The extent to which the answer given is a true measure and means what the researcher wants or expects it to mean."

In this study, the researcher used face validity to assess the measures included in the study. For example, the items reflecting the ten different types of techniques of neutralization were carefully designed in relation to poaching so that they will accurately reflect the degree to which individuals in the study use these rationalizations to justify their deviant behavior.

Such measures are based on the assumption that

respondents will answer the questions in a truthful manner. However, some of the items in this study ask respondents to provide information about illegal behavior, which can be problematic for validity. For example, subjects are asked about the frequency of illegal deer hunting as well as to provide information about the number of deer that they have illegally killed in their lifetime.

Indeed, when asking subjects about behavior that is illegal or extremely embarrassing, Fowler (1993, p.89) states that "...extraordinary efforts are needed to convince respondents that the risks are minimal and that the reasons for taking any risk are substantial."

In the cover letter for the survey, efforts were taken to assure subjects that they will have complete anonymity and are in no way at risk. They were also told that their help in completing and returning the survey is essential in order for the results of the study to be representative and to thus increase our knowledge of the attitudes and motivations of deer poachers.

Subjects who participated in in-depth interviews were granted the same anonymity as those in the Colorado sample. Information is presented in a manner so that individuals cannot be identified.

Generalizability

Since the first part of this study only examines those individuals who have been cited for illegal deer hunting in the state of Colorado, the results of this portion of the study are generalizable only to this particular population. This sample should provide a good description of the attitudes and rationalizations used by this particular deviant population. The results do not necessarily apply to those individuals who poach deer but have not been caught. Because it contains questions that have to do with illegal hunting behavior, this study also provides a unique opportunity to assess the response rate for a survey that deals with a sensitive topic among a deviant population.

The results of the second part of the study, in which in-depth interviews were used, are more limited in terms of generalizability. This is because data obtained from in-depth interviews is not generalizable. However, in-depth interviews have the advantage of allowing a researcher to collect information in depth and detail, and thus to provide a rich description of the phenomenon under investigation as well as to aid in the interpretation of results.

Limitations of the Study

One limitation with the first part of this study has to

do with the fact that it only takes into consideration the attitudes of those individuals who have been cited for illegal deer hunting in the state of Colorado. The possibility exists that there are differences between those who have been arrested for poaching deer and those that have not been apprehended.

For example, perhaps those individuals who have not been arrested for illegal deer hunting are more skilled at the activity than those who have been apprehended. For this reason several individuals who had not been apprehended for illegal deer hunting were also interviewed.

Another limitation of this study is that it uses untested measurements. Babbie (1989, p.123) suggests that one way to deal with the problem of reliability in studies "...is to use measures that have proven their reliability in previous research." However, there is very little previous research on poaching and none that uses measures designed to examine techniques of neutralization.

CHAPTER V

RESULTS

Table II shows a frequency distribution of the number of subjects that agreed or disagreed with the neutralization techniques used in this study. Table III shows the percentage of subjects who neutralized or did not neutralize. Nearly all of these individuals agreed or strongly agreed with the moral principle that illegal deer hunting is wrong (90%). In addition, eighty-five percent of the illegal deer hunters agreed or strongly agreed with the situational ethic that it is generally wrong to kill deer out of season, but that a person would be justified if they were being attacked by an animal.

Nearly all of the subjects agreed or strongly agreed with at least one neutralization. Indeed, only two of the forty-two individuals in the sample did not subscribe to at least one of the ten neutralizations. Some neutralization techniques were more popular than others.

As Table III shows, fifty-seven percent of the subjects used the metaphor of the ledger as a neutralization. Fifty-seven percent agreed with the claim that everyone else is doing it, and fifty-nine percent indicated that they didn't intend to kill a deer illegally and that it was an accident (denial of responsibility). Forty-two percent agreed with

TABLE II

FREQUENCY DISTRIBUTION OF NEUTRALIZATION ITEMS

	SD	D	U	A	SA
Moral Principle	3	1		15	22
Situational Ethic	1	4	2	18	13
Denial of Injury	24	12		3	1
Denial of Victim	25	12	1	1	1
Condemnation of the Condemners	3	10	18	4	7
Appeal to Higher Loyalties	21	13	2		3
Denial of Responsibility	8	7	1	7	15
Defense of Necessity	12	7	2	15	5
Metaphor of the Ledger	9	6	1	17	8
Denial of Necessity of the Law	6	18	7	6	4
Claim that Everyone Else is Doing it	5	4	8	21	3
Claim of Entitlement	25	10	3	2	1

the neutralization of the defense of necessity, and felt that it was okay to illegally kill a deer if a person needed the meat, while fifty-three percent disagreed with this claim.

Twenty-six percent of the subjects agreed with the neutralization of the condemnation of the condemners, and believed that game wardens sometimes hunt deer illegally, while thirty-four percent of the subjects rejected this claim. The majority (40%), however, were undecided on this issue.

The overwhelming majority of subjects rejected the following neutralization techniques: the denial of injury (97%), the denial of the victim (94%), the claim of entitlement (92%), and the appeal to higher loyalties (91%). Sixty-two percent also rejected the denial of the necessity of the law.

Table IV shows that over half of the subjects in the sample agreed or strongly agreed that the certainty of arrest would lessen the likelihood of them hunting illegally. However, the vast majority of subjects believed that the likelihood of being arrested for illegal hunting was low or very low.

Some sanctions would be more likely than others to deter these individuals from poaching. For example, Table

TABLE III

PERCENTAGE OF SUBJECTS THAT USED NEUTRALIZATION ITEMS

	No	Yes
Moral Principle	10	90
Situational Ethic	9	85
Denial of Injury	97	3
Denial of Victim	94	6
Condemnation of the Condemners	34	26
Appeal to Higher Loyalties	91	6
Denial of Responsibility	38	59
Defense of Necessity	53	42
Metaphor of the Ledger	41	57
Denial of Necessity of the Law	62	22
Claim that Everyone Else is Doing it	22	57
Claim of Entitlement	92	0

TABLE IV

PERCENTAGE OF SUBJECTS THAT AGREE/DISAGREE
WITH DETERRENCE ITEMS

	<u>Agree</u>	<u>Disagree</u>
Certainty of Arrest	59	31
Higher Fines	28	60
Long Jail Term	40	53
Loss of Hunting Privileges	50	35
Name Published in Newspaper	43	48
	<u>High</u>	<u>Low</u>
Likelihood of Arrest	15	59

IV shows that the biggest threat to the poachers was the loss of hunting privileges, with nearly half of the sample agreeing or strongly agreeing with this statement. Having their name published in the local newspaper and receiving a long jail term were the next most effective deterrents, while higher fines were the least likely deterrent to poaching.

Subjects were asked to identify the sanctions that would be most likely to stop them from hunting deer illegally. Table V shows that of the twenty-three subjects who completed this question, the greatest threat was a long jail term (17). It was followed by a large fine (10), which was the second greatest threat, while the third greatest threat was the loss of hunting license (10). The fourth and least greatest threat was having their name published in the local newspaper.

Table VI contains results of items having to do with the importance placed on getting a trophy deer. Over half (58%) of the subjects said that it was important for them to get an animal when they go hunting. However, the majority of poachers (80%) felt that it was not important to harvest a trophy animal when deer hunting. The majority of subjects (80%) agreed that trophy deer are highly valued by hunters, and the same percentage thought that hunters placed too much

TABLE V

RANK ORDERING OF DETERRENCE ITEMS (PERCENTAGES)

Rank	#1	#2	#3	#4
Large Fine	4	43	30	22
Long Jail Term	74	26		
Loss of Hunting License	17	17	43	22
Name Published in Newspaper	4	13	26	57

TABLE VI

A SUMMARY OF ITEMS DEALING WITH THE IMPORTANCE
OF GETTING A TROPHY DEER (PERCENTAGES)

	Agree	Disagree
When I go deer hunting it is important to harvest an animal.	58	38
When I go deer hunting it is important to harvest a trophy size animal.	18	80
Trophy deer are highly valued by hunters.	80	15
When a person kills a trophy deer it is a sign they are a good hunter.	25	68
I only feel a hunt is successful if I get a trophy deer.	0	98
Hunters place too much importance on getting a trophy deer.	80	10
I feel bad when I go hunting and do not get a large deer.	7	93

emphasis on harvesting trophy deer. None of the poachers felt that they had to kill a trophy deer in order for a hunt to be successful, although a few of them (7%) did indicate that they felt bad when they didn't kill a large deer. Twenty-five percent of the subjects indicated that when a person kills a trophy deer it is a sign that they are a good hunter.

As Table VII shows, the majority (50%) of the poachers in the sample felt that the Colorado Division of Wildlife does a good job of managing the state's wildlife resources. Only twenty-two percent of subjects believed that the government should not have the right to regulate hunting activities, and only two percent of the subjects said that illegal deer hunting was considered to be a legitimate activity by most of their family members and friends.

Table VIII reveals that the most common penalty the poachers in the sample received was a fine. Ninety-five percent of the subjects were fined for their violations. Fines ranged from \$50 to \$1,975, with the average fine being \$900. Twenty-nine percent of the subjects in the sample were placed on probation, twenty-one percent lost some of their hunting privileges in the state of Colorado, and eight percent of the subjects reported that they received some other penalty, such as loss of the rifle that was used to

TABLE VII

A SUMMARY OF ITEMS DEALING WITH ATTITUDES
ABOUT GOVERNMENT REGULATION OF HUNTING
ACTIVITIES (PERCENTAGES)

	Agree	Disagree
The Colorado Division of Wildlife does a good job of managing the state's wildlife resources.	50	30
The government should not have the right to regulate hunting activities.	22	61
Among most of my family members and friends, illegal deer hunting is considered to be a legitimate activity.	2	95

TABLE VIII

A SUMMARY OF PENALTIES RECEIVED FOR DEER
POACHING VIOLATIONS (PERCENTAGES)

	Yes	No
Fine	95	5
Jail Term	0	100
Loss of Hunting License	21	79
Probation	29	71
Other	8	92

commit the offense.

As Table VIII shows, none of the subjects in the sample received a jail sentence for their infractions. However, many of the subjects reported being threatened to be placed in jail by game wardens if they could not immediately come up with sufficient money to pay the fine that they were assessed.

Table IX shows some of the illegal hunting methods used as well as some of the other characteristics of subjects in the sample. Seventy-five percent of subjects indicated that they used the meat from the deer they had illegally taken. Sixteen percent of the subjects had been arrested for other crimes.

Table IX reveals that the most common illegal hunting method that subjects reported engaging in was hunting from the road (26%). Nine percent reported exceeding the legal bag limit, and seven percent reported they had used alcoholic beverages and been intoxicated while illegally hunting. None of the subjects admitted to using drugs while illegally hunting.

Table X shows the frequency and quantity of illegal deer hunting reported by subjects in the sample. Ninety-three percent of the subjects said they rarely hunted deer illegally (once every five years or more), while the

TABLE IX

A SUMMARY OF ILLEGAL HUNTING METHODS USED
BY THE POACHERS (PERCENTAGES)

	Yes	No
Hunted at Night	3	97
Exceeded Bag Limit	9	91
Traveled out of State	7	93
Hunted From Roads	26	74
Alcohol While Hunting	7	93
Drugs While Hunting	0	100
Inoxicated While Hunting	7	93
Arrested for other crimes	16	84
Keep the meat from illegal deer	75	25

TABLE X
 REPORTED FREQUENCY AND QUANTITY OF
 ILLEGAL DEER HUNTING

	Percentage
Frequency	
Rarely	93
Occasionally	0
Once per year	7
More than twice per year	0
Quantity	
One	84
Two to five	8
Six to ten	8
Eleven to twenty-four	0
Twenty-five or more	0

remaining seven percent indicated that they illegally hunted deer once per year. In terms of the quantity of deer illegally killed, eighty-four percent of the subjects said they had only killed one deer during their lifetime. Eight percent of subjects said they had illegally taken two to five deer in their lifetime, and eight percent admitted to having illegally taken between six to ten deer during their lifetime. None of the subjects in the sample reported taking eleven or more deer illegally.

The majority of the subjects in the sample were licensed sportsmen. Table XI shows that ninety percent of the subjects hunted deer legally. In addition, approximately seventy percent of the subjects had hunted deer legally for twenty or more years. The majority of subjects (41%) reported that they did most of their legal deer hunting on public property, while twenty-three percent indicated that most of their hunting took place on private land. Just over a third (36%) of subjects reported legally hunting deer on both private and public land.

Table XII shows results of items dealing with illegal deer hunting. In spite of the fact that they had illegally hunted deer at least once in their life, almost half (47%) of the subjects said they had never hunted deer illegally. The same percentage of subjects (47%) reported they had only

TABLE XI

A SUMMARY OF ITEMS DEALING WITH
LEGAL DEER HUNTING

Hunt deer legally	<u>Yes</u> 90%	<u>No</u> 10%
Number of years hunted deer legally	<u>Percentage</u>	
1 - 9	10	
10 - 19	20	
20 - 29	36	
30 - 39	18	
40 - 49	10	
50 or more	5	
Type of land most legal deer hunting done on	<u>Percentage</u>	
Private	23	
Public	41	
About equal	36	

TABLE XII

A SUMMARY OF ITEMS DEALING WITH
ILLEGAL DEER HUNTING

Number of years hunted deer illegally		Age at first time of illegal deer hunting	
<u>Years</u>	<u>Percentage</u>	<u>Age</u>	<u>Percentage</u>
0	47	19 or younger	22
1	47	20 to 29	11
6	3	30 to 39	39
10	3	40 to 49	17
		50 or older	11

Number of times arrested for hunting deer illegally		<u>Percentage</u>
	0	50
	1	50

Number of times arrested for hunting other animals illegally		
	0	100

Number of times hunted deer illegally before arrested		
	0	94
	5	3
	10	3

When does most illegal deer hunting take place		
	Day	87
	Night	
	About equal	13

hunted illegally once in their life. Three percent of subjects reported that they had hunted illegally for six years, and three percent reported that they had done it for ten years.

Table XII shows that two-thirds (67%) of subjects said they were thirty years of age or older the first time they hunted deer illegally. The remaining thirty-three percent were age twenty-nine or younger when they hunted deer illegally for the first time. Again, despite being arrested or cited for illegal deer possession at least once, fifty percent of the subjects claimed to have never been arrested for illegal deer hunting. The remaining fifty percent said they had only been arrested a single time for this offense.

None of the subjects reported being arrested for illegally hunting other animals. Ninety-four percent of the subjects said that they had never hunted deer illegally before they were arrested. Three percent of subjects reported they had illegally hunted deer five times before being arrested, and the remaining three percent claimed to have illegally hunted deer ten times before being arrested.

Eighty-seven percent of the subjects reported that most of their illegal deer hunting took place during the day, while the remaining thirteen percent reported that their illegal activities took place during both day and night

hours. None of the subjects claimed that their activities took place exclusively at night.

Table XIII shows that half (50%) of the subjects reported that most of their illegal deer hunting took place on private land, twenty-nine percent illegally hunted on public land and twenty-one percent illegally hunted deer on both private and public land. Eighty-seven percent of subjects said that they would be unlikely or very unlikely to illegally hunt deer on private land that is posted. Only thirteen percent said that they would be somewhat likely to illegally hunt deer on private land that is posted.

In terms of the number of people that were with them, fifty-five percent of the subjects reported that they were usually by themselves while hunting deer illegally. Twenty-five percent said that one person was usually with them when they hunted illegally, while the remaining twenty percent of subjects reported that two or more people were with them when they engaged in this type of deviant activity.

When asked to describe the people that were with them the first time they hunted deer illegally, thirty-five percent of the subjects indicated that close friends were with them. The same percentage reported that they were by

TABLE XIII

ILLEGAL DEER HUNTING, NUMBER OF COMPANIONS
AND TYPE OF LAND

Type of land most illegal deer
hunting done on

Percentage

Private	50
Public	29
About equal	21

Likelihood of entering private
land that is posted to hunt
deer illegally

Very likely	
Somewhat likely	13
Unlikely	13
Very unlikely	74

Number of people usually with
you when deer hunting
illegally

None	55
One	25
Two or more	20

People with you the first time you hunted deer illegally

	<u>Yes</u>	<u>No</u>
Close family members	13	87
Distant family members	13	87
Close friends	35	65
Acquaintances	9	91
No one was with me	35	65

themselves. Thirteen percent of the subjects said that close family members were with them the first time they hunted illegally, and the same percentage claimed that distant family members were present. Nine percent indicated that acquaintances were with them the first time they illegally hunted deer.

Table XIV shows the results of illegal deer hunting items that deal with trophy animals. When asked to indicate the main reason for participating in illegal deer hunting activities, none of the subjects said that they did it for trophy animals, money, or weekend entertainment. Sixty percent of the respondents said they did it for the meat, five percent admitted doing it for the excitement, and thirty-five percent claimed to do it for other reasons.

In terms of the importance of getting a trophy deer while hunting illegally, fifty percent of the respondents said it was not important to get a trophy, forty-five percent said it makes no difference, and only five percent said that it was very important.

Table XIV shows that respondents were split in terms of the sex of deer that were illegally hunted. Thirty-three percent of subjects reported that they illegally hunted male deer, the same percentage reported hunting female deer, and the remaining thirty-three percent said that they hunted

TABLE XIV

A SUMMARY OF ILLEGAL DEER HUNTING ITEMS
DEALING WITH TROPHY ANIMALS

Main reason for illegal deer hunting	<u>Percentage</u>
Trophy	
Meat	60
Excitement	5
Earn money	
Weekend entertainment	
Other	35
Importance of getting a trophy deer	
Not very important	50
Makes no difference	45
Very important	5
Sex of deer that are illegally hunted	
Male	33
Female	33
Equally male and female	33
Number of antler points	
Two or less	
Two or more	19
Only three or more	5
Only four or more	5
Not applicable	71
Antler spread in inches	
Less than 24	9
24 or more	9
Both less and more than 24	9
Not applicable	73

both male and female deer equally.

In terms of the male deer that were hunted illegally, nineteen percent of the subjects said that they took deer with two or more points, five percent of subjects said they only took those deer with three or more points, and five percent said they only took deer with four or more points on each antler. Seventy-one percent of the subjects indicated that this question was not applicable.

When asked about the size of the antler spread in inches of the deer they illegally hunted, nine percent said they hunted deer with antler spreads of less than twenty-four inches. Nine percent reported they sought deer with antler spreads of twenty-four inches or more, and nine percent reported seeking deer with antler spreads of both less than and greater than twenty-four inches.

CHAPTER VI

DISCUSSION

Illegal deer hunting is an activity that occurs in remote areas. Generally, there are very few witnesses to this type of crime. The game wardens who were interviewed said that they very rarely catch people in the act of poaching. Most are apprehended after an animal has been killed, and are caught while in possession of an illegal animal.

For example, this may involve individuals who are transporting an untagged animal. It may also involve individuals who possess an animal of the wrong sex or those who take a deer that violates the antler point restriction for a particular unit, such as taking a deer with only two antler points in an area that requires deer to have three or more antler points.

In-depth interviews with poachers revealed that they had been cited for a variety of offenses that constituted illegal possession. Many of the offenses took place during the legal deer hunting season. For example, a couple of individuals said that they were apprehended for trespassing because they shot a deer on public land and it jumped over a fence onto private land. A couple of other individuals committed the violation of shooting deer that did not have

the sufficient number of antler points to satisfy the antler point restriction for the particular unit that they were hunting on. Some of the individuals that were nonresidents were charged with purchasing resident hunting licenses.

One individual harvested a deer using his uncle's deer tag. Another hunter shot a deer for his friend. One person had a doe permit, but killed a buck deer. Another hunter had a doe permit, and killed two buck deer and abandoned them. One poacher took a doe during the rifle season when he had a buck tag. Another poacher claimed that he had already harvested and tagged a deer the day before, and was out in the field with his buddies when a wounded deer came stumbling by him, so he shot it to put it out of its misery. He left it, and was turned in by two hunters who witnessed the incident.

Some of the poachers illegally took their deer during the closed season. For example, one poacher said that he and his buddy had been drinking beer, and decided to kill a small two-point buck that they happened to see while driving around. Another poacher said that he and a buddy had been target shooting on a relative's property, and came across a herd of about thirty deer, so they decided to kill a couple of does.

Many individuals who hunt deer illegally do not

consider themselves poachers. For example, one evening I was talking with a small group of individuals that included a couple of hunters. One of them began to describe an occasion in which he and a friend were elk hunting on private property. They were getting bored because they hadn't seen any elk. He said that his hunting companion was anxious to shoot something.

As they were driving along they observed a doe deer nearby. He said that his companion stuck a gun out the window, aimed and fired, killing the deer instantly. Upon hearing this story, another individual in the group (who knew that I was doing a study on poaching) suggested that this fellow would be an eligible candidate for my study. The first individual disagreed with this suggestion, and said that the instance in which he was involved was not an act of poaching because "...we just left it there, we didn't keep it." After some discussion, he finally agreed that it was in fact an act of poaching.

Many individuals were offended because they received a survey, and some of them did not hesitate to let me know about their anger. For example, on one occasion I returned a telephone call to a man who had called the department about the survey. The man's wife answered, and said her husband was sleeping. She said that her husband was mad

because he received the survey. As it turned out, the survey was intended for her stepson, who shared the same name as her husband. She said that her stepson was currently in prison. On another occasion, a departmental secretary called me at my apartment to tell me that an angry man had just called and told her that he was going to rip up the survey.

It wasn't until later that I realized just how negative and offensive the term "poacher" was for these individuals, most of whom considered themselves to be decent, upstanding sportsmen in spite of the fact that they had broken the law. In order to generate a better response rate, one game warden that was interviewed said that I should have used the phrase "...I'm conducting a study of illegal deer hunting" instead of "...I'm conducting a study of poaching" in the cover letter for the survey. This is because many offenders do not consider themselves poachers, and would find this word offensive.

Another warden said that the term "poacher" is a very negative label for these individuals because in the hunting community a poacher is someone who is despised. He said that many of these individuals would be likely to "take a swing at you" if you were to suggest that they are a poacher.

One thing is clear from this study--the term "poaching" means different things to different individuals. Indeed, many of the poachers did not consider themselves poachers or their deviant activities as actually constituting poaching behavior.

Poaching is a generic term that is used to refer to the illegal taking of wildlife in various forms. It encompasses not only flagrant closed-season violations but also applies to activities that are illegal and which occur during the open hunting season as well. However, the fact that many individuals do not consider offenses that occur during the open hunting season as actually constituting poaching explains why many individuals were offended upon receiving a survey dealing with poaching behavior.

For example, one individual described several deer hunting violations he had committed over the years. These offenses included taking someone else's tag in the field in addition to his own and then killing deer for both of them during the legal season. On another occasion, he told of how he and a companion shot a small buck and simply left it there in order to be able to continue hunting for a larger one. He also described how he had once helped a friend retrieve a small buck one night that his friend had illegally killed earlier that same night.

I told him that I would like to interview him for my study on poaching. Somewhat angrily, he replied that he had never poached in his lifetime. He admitted that his actions were wrong and were in violation of the hunting statutes. However, he did not believe that they constituted poaching because according to his definition, a poacher is someone who kills animals outside the legal hunting season.

The following statement by a game warden illustrates how a person's perception of the meaning of an illegal act influences their susceptibility to participate in it:

There are other police officers in this office that are damn fine upstanding officers who would never take a pencil from your desk. But these guys speed all the time. They rationalize and say "its okay for me to do that." There are degrees of involvement for breaking the law for each individual. There are degrees of poaching that are acceptable based on a person's perception of it.

On several occasions during this research project I told individuals that I was conducting a study of poaching for my dissertation. Many of them told me that they found the topic to be an interesting one. In addition, some of them proceeded to discuss specific poaching incidents that they had been involved in. These incidents ranged from taking pheasants out of season to violations involving larger game such as deer and elk. Most of these individuals had not been apprehended for their violations, but

nonetheless knew that their behavior was wrong and admitted that it would fall under activities that are classified as poaching.

For example, one individual described how, while rabbit hunting with a relative, a doe deer stepped out of the brush very close to them. Unable to resist, his relative shot and killed it. He also described how one of his relatives let him use his elk tag to harvest an elk.

Another hunter said that in his younger years he had a real problem with party hunting. He told of how he and his buddies would purchase out of state deer and antelope tags, and would not quit hunting until every one of the tags was filled. He also described a relative who would arrive at hunting camp several days before the deer season opened. During this period, his relative consumed large quantities of alcoholic beverages and would always shoot his deer two or three days before the legal hunting season opened, and would claim that it was taken legally on the opening day of the hunt.

Reasons for Poaching

One individual, "Ben," called the sociology department regarding the survey. After failing to contact him on the first two attempts, I was finally able to get in touch with

him on the third attempt of returning his call. Initially Ben claimed that he had never been cited for illegal deer possession. I explained to him that his name was on the list provided to me and indicated that he in fact had been cited for it. He then said that he was not cited for killing a deer, but was cited for several other offenses including hunting at night and shooting from a road.

He then went on to tell me that he was self-employed and had a tough time making ends meet, and added that he was unable to even collect food stamps. Finally, he admitted that he had been hunting deer illegally but wanted to make it clear that it was simply a "one time thing." He claimed that the only reason he did it was because he needed the meat. With this response, he was attempting to neutralize his misbehavior using the defense of necessity.

Interestingly, when I attempted to contact him the first two times I was greeted by his telephone answering machine. Although the possibility exists that his economic status had changed since the incident, most individuals who are in dire financial circumstances would not be able to afford such luxury items as an answering machine if their family was truly in need. Also, the consequences of poaching are so great that poor people are generally not likely to poach.

The game wardens that were interviewed said that in the field they rarely hear the "I did it because I needed the meat" excuse, and said that poor people can't afford to poach because the benefits of a few pounds of meat are small when compared to the high costs involved with being caught poaching, including large fines and the forfeiture of vehicles and guns.

To be sure, the game wardens said that poachers come from all social classes. However, they said that in general members of the lower class are not as likely to poach because they can't afford it. One warden said the following in this regard:

One hundred percent of the people I catch I would classify as middle class or above. The poor people don't poach anymore. They can't afford the fines or forfeitures. The rich folks have the time and money to come and poach. I have arrested numerous people I would classify as wealthy, such as the Californian's who come and hunt winter range.

This was reinforced by the following statement from another game warden:

Most of the opportunist poachers are middle class. They can afford the vehicles and guns to do those types of things. I don't think those in poverty or the lower class do a lot of poaching--they can't afford gas or guns. Most people we arrest have jobs and income. The opportunist cuts across all social classes. It ranges from those who can't afford a fishing license to those who own lear jets.

In addition, Ben appeared to be suspicious of my motives for conducting such a survey. He told me that he felt many of the questions in the survey were bad and not very applicable to his offense. This was primarily because the questions dealt with the poaching of trophy animals but also had to do with the fact that he felt the questions presumed a history of habitual offending. I attempted to reassure him that information from the survey would be kept strictly confidential and that his response was important for the study, since it was not limited to trophy poaching. I asked him if he would complete the survey and return it, and he said he would.

Game wardens were asked if poaching has changed over the years. Almost all of them indicated that it has changed. The most common change that they described was a shift from poaching for the meat to poaching for the head and antlers. The following statements from officers describe this trend:

During the last ten to twelve years, the status of taking trophy deer has increased greatly. There is an emphasis put on large trophy deer. Today you find the body and the head is removed, that's what they're hunting for now. The poaching ethic has shifted from killing deer for meat to killing deer for antlers.

In remote areas there are money type people looking for antlers. The focus has shifted from meat to money because they can sell the antlers. Antlers are picked up in the spring from deer

that are shot in the winter.

Drastically--a one-hundred and eighty degree turn. When I first started, you would find a gut pile, and you understood what happened. You would find the carcass had been cut and wrapped. I cannot tell you the last time that was the circumstance. All they do now is take the heads. Ninety-nine percent of the time now its a heads/trophy situation or a thrill kill.

Not a lot. There's been an increase in the interest in trophy deer. This results in a few more deer taken illegally out of season. The opportunistic are a more constant type of violation over time.

A couple of game wardens described a trophy poaching ring they broke up several years ago. It involved a so-called hunting club based in California whose members had a passion for large antlered mule deer. These individuals pooled their money together, which was used as prize money for whoever could harvest the largest trophy deer as well as for bail money in the event they should get apprehended by wildlife law enforcement officials. They also kept a lawyer on retainer. These individuals killed trophy deer well after the legal hunting season had ended on winter range in Idaho, Wyoming and Utah.

One game warden said that one of these poachers who became an informant for his office told him that over the previous fifteen to twenty years, he estimated that members of his club killed over one-hundred trophy deer with antler spreads of thirty inches or greater.

The use of informants is common in wildlife law enforcement, and is consistent with the work of Forsyth (1993a, p.217), who in his study reported that "...most game wardens used informants and most of them found the information vital to the performance of their role as a law enforcement officer." He also noted that the use of informants is essential for game wardens to uncover major crimes.

In addition, in a study of the effectiveness of state anti-poaching campaigns, Nelson and Verbyla (1984) concluded that in order to effectively apprehend violators, wildlife law enforcement agencies need to receive information and tips from citizens. They stated the following in this regard:

The large number of recreationists per officer and the divided responsibilities of most officers indicate that the cooperation of citizens in both obeying the laws and providing information about observed violations is vital to effective enforcement. (p.118).

The game wardens also said that some of the California poachers they apprehended had teenage children with them. They were thus socializing their own children into the deviant and illegal act of trophy deer poaching, lending support for differential association theory. Although it does not explain everything, the impact of early socialization experiences cannot be ignored when searching

for the roots of deviant behavior. This is consistent with findings of Curcione (1992), Green (1990), and Forsyth and Marckese (1993b), who reported that the majority of individuals in their studies were introduced to poaching by a family member.

Indeed, the meanings that are acquired by children during social interaction with significant others play an important role in the development of deviance. Regarding fishery violations, Curcione (1992, p.53) states "...the meanings acquired early on in the biographies of these poachers gave rise to a general orientation that favorably disposed them toward certain fishery violations when the opportunities arose."

Although out of season trophy poaching has received great publicity during the past decade, the most common form of poaching violation is related to opportunity, and occurs during the legal hunting season. The following statement from a game warden illustrates this:

A lot of poaching situations are opportunistic. Guys don't go out intending to break the law, but an opportunity presents itself. The percentage of trophy poachers is small, but it is more publicized. Most hunters understand there is a risk. There are only a few 35-40 inchers out there, and a few poachers could wipe them out. These trophy deer are in high demand by hunters. Trophy poachers remove the most desirable animals and the public doesn't have the opportunity to harvest them. Compared to overall violations, out of season trophy poaching has

very few cases.

Game wardens generally felt that poaching did not have an effect on the deer herd in terms of overall numbers, but believed that it did have an impact on the number of trophy animals that were available. They also reported that other factors had a greater negative impact on the deer herd than poaching did. The following comments from game wardens illustrate this:

Poaching is a big problem, but not in terms of overall numbers. It is a problem because of the type of animals that are taken. This area has big bucks and bulls.

It does reduce the number of trophy animals. Poaching does not affect the overall deer herd. The biological impact is not high, but it is very significant socially because of the social impact or publicity that it creates. The weather and hunting seasons can have a much larger impact on the resource. On this thirty mile stretch of highway we lose three-hundred to five-hundred deer a year.

This is consistent with the findings of Forsyth and Marckese (1993a, p.25) who reported that the game wardens they interviewed also believed that poaching was not as detrimental to wildlife as some other activities were, such as the loss of habitat through logging and farming practices.

One common offense is party hunting, which involves taking game for someone else and then putting the other person's tag on it. Among many hunters there is a belief

that party hunting is not very serious because it is not really a crime against an individual person and no one is harmed. Also, by virtue of having purchased a hunting license, some individuals feel that they are entitled to use any means in order to fill it. The following statement from a game warden illustrates the attitudes surrounding party hunting and, consistent with differential association theory, suggests that these attitudes are a product of the socialization process that takes place between these individuals and their family members and friends:

With party hunting they feel that they've paid for a license, so its not as serious. They have an attitude that its all right to help someone fill a tag. They've learned it through experience from family and friends. They rationalize that its not really hurting anyone or the resource. When they use someone's tag they feel there's nothing morally wrong with it because there's no perception of an injured party.

One warden said that he has had some problems with law enforcement officers who don't believe that party hunting is wrong. Indeed, many individuals do not consider poaching to be a very serious crime. This includes law enforcement personnel who are hunters. Some individuals in the justice system have attitudes that minimize the severity of poaching. Indeed, more than one game warden said that it is not uncommon for police officers to violate the law, especially in terms of party hunting.

It is a problem because they view hunting violations as very minor infractions that are on the same level as a common traffic violation, such as a speeding ticket. One game warden said that after he had taken a violator to court for a hunting violation, the judge in the case said "You mean to tell me that I can't shoot my wife's deer for her? When did they change that law?"

The following letter was received from an individual who was employed as a sergeant in a sheriff's office. He had been cited for party hunting, and was angry about receiving the questionnaire in the mail.

Attn: Steve Eliason;

Here is the response to your survey.....I think its &^%\$^!!! There now that I have that out of the way, let me explain why. Your survey is written very poorly. Your survey not only offended me but infuriated me. The first half of your survey was fine. When you started to ask questions about hunting deer illegally is when I blew my lid. YES, I received a ticket for shooting an ILLEGAL deer. The facts of such are as follows. I shot somebody elses deer. The deer was tagged by another party. We were ticketed for PARTY hunting. This as we found out the hard way is illegal in the state of Colorado. Party hunting is allowed in most states. I don't drive anywhere to hunt deer illegally. In fact I am now employed with a local sheriff's dept. as a Sergeant. How is that for my ILLEGAL activity. Your survey makes it sound like every person who has ever recieved a ticket was pursuing that illegal activity, this is not always the case. Answer my survey.....

- 1) Have you ever exceeded the legal speed limit?
- 2) Where do you do most of your speeding?
- 3) When was the first time you enjoyed

speeding?

- 4) What family members were with you the last time you were speeding?
- 5) Would (jail time/large fine) influence your speeding?
- 6) What is your main reason for speeding?

Starting to get the drift? Everyone has done something wrong on occasion. I bet you have also. Granted your survey may have its merits, but it definitely needs to be refined. Get some more information on the people who will receive the survey. Last but not least, don't be so general in the asking of your questions, ask questions about specific incidents (such as the incident in which you were ticketed) your results will have more validity. Please feel free to contact me if you have any questions. Just so you know, this little questionnaire even offended my mother!!!

One game warden said that retired police officers from California that are hunting in the area are a significant problem now. He said this is because they possess an attitude which is prevalent among law enforcement personnel in California in which "police officers don't bother other police officers." These former officers think that wildlife law enforcement officials should look the other way when they hunt illegally.

In our society there is a stereotype of a poacher as someone who goes hunting during the closed season, often at night, and displays a wanton disregard as he recklessly shoots animals or anything that moves. And it is true that this type of poaching does occur. However, most of the game wardens said that the majority of poaching offenses occur

during the legal deer hunting season and during legal hunting hours. One warden said that another prime time for serious offenses to occur is the period just before as well as the period just after the legal hunting season ends.

However, game wardens in the most remote rural areas reported that a lot of poaching occurred during the closed season. For example, one warden who resided in an isolated rural area estimated that approximately fifty percent of the illegal deer hunting in his area took place during the legal hunting season, and the other fifty percent involved out of season violations. This is primarily because the offenders are seeking trophy animals that have been pushed onto winter range because of deep snow at higher elevations. The deer are easy to locate and very vulnerable when inhabiting winter range in very remote rural areas.

Some illegal hunting takes place at night. One game warden said that the practice of spotlighting does occur, but is not as common as people think. He said that it does occur a lot in the eastern U.S. for whitetail deer and for varmints such as coyote and fox in the western U.S. However, spotlighting for trophy deer makes the poachers very vulnerable to apprehension.

As a result, he said that most out of season deer hunting takes place during the day, especially in the early

morning or early evening hours. In addition, much of it takes place during the middle of the day when deer are on winter range and thus very visible in the sagebrush terrain which covers much of the area. This also gives poachers the ability to carefully scrutinize the size of the antlers and determine if the deer is large enough to be considered a good trophy.

Subject Anger and Hostility About the Study

One unanticipated finding from the Colorado sample was that quite a few of the poachers took the time and effort to explain and attempt to justify their behavior by writing an actual letter and enclosing it with the completed survey, or by providing extensive written comments on the survey instrument itself, or simply by sending a letter without returning the questionnaire. A copy of an actual letter received from an angry subject is located in Appendix C.

Many of the poachers were angry about receiving the survey and vented their anger by writing comments on the survey itself. Other individuals that participated in in-depth interviews spoke of how they were mad and felt intimidated when they received the survey, and of how it took them a bit of time to calm down.

For example, the following comments were written by a

Colorado resident on the back of a survey that was mailed in but not completed:

I almost didn't answer this, I had to leave it lay for several days in order to calm down some. I am very proud of my almost 40 years of hunting & fishing in Colorado. For someone to put me in the same category with poachers, as far as I am concerned that put them in the same category with anti-hunting groups. If that's an injustice it can't be a bigger injustice than what you did me. I made a mistake once, and a young hot head game warden tried to take advantage of it to boost his arrest record point system. I misread some very complicated regulations. They write them more complicated every year to try to boost their "fine" income.

The next comments were provided by a California hunter who wrote them on the front page of an uncompleted survey that was returned:

I find both your letter and your survey to be insulting--you presume facts not proven in both. I have hunted for over fifty years and have never intentionally hunted illegally and neither has anyone with me. I suggest you get a life.

Neutralization Techniques

The majority of game wardens said that practically all of the individuals they apprehend for poaching offer rationalizations for their misdeeds. When it comes to hunting violations, it is very rare for individuals to assume responsibility for their illegal actions. A couple of the officers said that they would find it refreshing if the poachers they apprehend would simply admit that they

took a chance and got caught, instead of denying that they did it and attempting to mitigate it with all kinds of excuses. One game warden stated the following in this regard:

There's damn few times I've ever contacted someone who didn't have a rationalization. Sometimes it may be comical. It is very rare that they are up front with you and say "I took a chance and I got caught."

There were some situations, however, in which offenders were not likely to offer excuses to game wardens. For example, one officer said that if he catches individuals in the act of shooting deer on winter range well after the legal hunting season has ended, they will generally not offer excuses. Rather, he said they exhibit a "flight, then fight" type of reaction in which they first attempt to evade the officer and then challenge the charges in court. Another officer said that when he catches individuals in the act of using a spotlight to hunt deer at night they usually don't offer reasons.

One game warden who deals with a lot of poaching cases involving trophy animals said that most of the individuals he apprehends do not attempt to rationalize until their case goes to court. This is illustrated by the following statement:

The biggest majority now don't say anything. Most of them just lawyer up. I think thats in

reference to the penalties being much stiffer than they used to be. Rationalizations are brought up in court for defense.

Many of the poachers denied responsibility for killing deer illegally by claiming the situation for which they were cited was a mistake or an accident. Indeed, the denial of responsibility was the most common neutralization technique reported in the survey.

For example, one subject in the study had been hunting and killed a three point buck. He was dragging it down the mountain to his vehicle when a game warden drove up to where he was and checked his license. The subject had the deer tagged with his uncle's tag, and was cited for the offense. He attempted to neutralize his actions through the denial of responsibility. He claimed that he did not know that the law prohibited party hunting in Colorado.

The following comments from individuals indicate how they tried to deny responsibility for killing deer illegally:

I did not Hunt illegally--I shot a deer out of out 200 yd. that I thought was legal but when I got up to him it only had 2 points instead of 3. The game warden was there when I shot.

My license was for the area I shot the deer. It did not state that only part of the area was open to hunt as the warden stated. If License and Regulations were written clearly this would not have happened. Even The Game warden said he could clearly tell I did not do this purposely when he talked to me. of coarce I was Guilty

untill proven Innocent.

Did not know that uncles tag would not be legal to fill.

PS. My name is *****. I was cited for shooting a spike in wrong unit. I was turned in by 2 Oklahoma guys who was being paid to turn people in. My fine was \$685. They got \$185 of it. The warden told me they made \$2,000 a year doing snitch work. If I was too lazy to work I would have been a game warden. All of the other people in Colorado were nice. It was a honest mistake.

My husband told me he got me a doe license--it was a buck license.

My one illegal deer was because I was shooting for a legal doe and it was a buck it horns were below the ears and it was dusk & I couldn't see them.

I answered the survey you sent but let me state to you that I do not consider myself as an illegal hunter, I am a strong believer in game management and also against poaching of any kind. I was fined in Colorado Oct. 1996 for retriving a buck deer I harvested. I was hunting on private land I paid to lease. The deer went under a gated fence that I was given a key that opened the lock so I opened the gate and drove vehicle up to the deer. The joining property owner saw me and called game warden, the land me and the dead deer were on was not land I had paid to lease. So who's to blame me I guess now I am considered a illegal deer hunter by the state of Colorado. I guess I should have left the deer to rot in the sun.

I do not hunt illegally. It was an accident.

My incident was a totally honest mistake--turned myself in to local agent after dressing game in suitable fashion (& packed meat out) as in my own clear mind the honest thing to do & was fined \$750. 99.999% would leave a mistaken kill to rot--after this incident I would give the same some thought.

Missunderstanding on hunting boundaries it was in season and had legal tags bad boundary descriptions. Result I will never hunt in Colorado again!!!

The game wardens that were interviewed in this study said they are more likely to use discretion if they can determine that a situation was in fact an accident and if a person turns themselves in and is cooperative with them. This may take the form of writing a letter to the judge asking for leniency in sentencing, or it may simply result in a warning being issued instead of a citation. Game wardens were not likely to use discretion when offenders denied committing an act of poaching or else were unwilling to talk about it.

Indeed, Forsyth (1993b) found the demeanor of an offender to be a crucial factor in whether or not a game warden is likely to use discretion. More specifically, he found that individuals who do not show respect to the game warden are more likely to be cited or arrested.

One nonresident hunter shot a spike in a three-point or larger unit. He claimed that it was a mistake because his hunting companion did not understand the boundaries of the unit. He was also angry because the game warden told him that he had been turned in by two men from Oklahoma, who make two-thousand dollars a year by reporting poachers. After venting his hostility toward the game warden who cited

him with profanity and racist remarks, he then went on to blame many of the problems sport hunting is facing on private landowners who lease their land to hunters, and said the following in this regard:

This leasing to hunt bullshit is ruining hunting. You've got a bunch of guys with a stack of money who can tie up the land for themselves. There is tons of BLM land we can't get to. One guy can own a half mile of land on the side of the road and block two-hundred thousand acres of public land.

This disgruntled individual was simply unwilling to accept responsibility for his actions, and was attempting to divert attention from his misbehavior by blaming others for his problems.

However, a couple of the poachers said that poaching is not an accident and believed that a person should be held responsible for his own hunting behavior. This is illustrated by the following comments:

a person shooting a gun should KNOW his target, any mistake is permanent.

Accidental animal killing is not done with a gun.

Some individuals also attempted to neutralize with the technique of the metaphor of the ledger, which was also a popular neutralization technique in the survey. The following letter was received from an individual who returned the business reply envelope but did not return the

survey. Stapled to the letter was a cover letter for the survey that had been torn from top to bottom and then sealed back together with tape.

Dear Undergraduate,

In response to your Hunting Questionnaire. I received your questionnaire and started filling it out. Half way through the questions I stopped because I found myself getting very upset and angry. It appears that this questionnaire is directed to a person that has made it their career of poaching. For good or bad reasons, the questions are written in such a way that the person responding to your questions are poachers and repetitive illegal hunters.

In the 40 years of hunting all sorts of game and in as many states I have never broken the laws of any state except for one occasion. That happened to be in Colorado in 1991. I chose to shoot a deer very close to the end of the day and the Game Warden chose to cite me for the violation. It was a very costly and embarrassing experience and one that I will never will forget or repeat. I am an NRA and NMLRA member for many years and teach Hunter Safety Classes to civilians as well as law enforcement officers. I believe if you do the crime you should do the time.

I find your questionnaire offensive and misdirected. I do not believe that you will get a response from the poaching community, but then I could be wrong. Good luck in your survey.

This individual was attempting to demonstrate that he was a good person in spite of the fact that he poached, and that all of his positive qualities such as teaching hunter education classes and being a member of national firearm organizations could somehow make up for the one instance in which he messed up.

Another individual, who was a nonresident and was cited

for purchasing a resident license, also used the metaphor of the ledger technique to justify his actions. He was apprehended at a check station after harvesting a large deer, and was not only angry about receiving a large fine for his violation but also about how Colorado Division of Wildlife officers confiscated his large five-by-five point buck. While interviewing him, he stated the following in an attempt to demonstrate that he was a decent, law abiding citizen:

I have always been above board in regard to game laws. I have never hunted illegally. I was a victim of circumstances. I am not a criminal. I was a former police officer in Ft. Worth. I have a concealed handgun license. They would not allow a criminal to get a handgun license. I've been a member of the NRA for a few years, and I wanted to clear my name.

As previously mentioned, the game wardens that were interviewed said that individuals they apprehend for poaching rarely use the defense of necessity. Yet, some of the individuals wrote comments about the necessity of poaching deer if a person needs the meat. The following examples illustrate the defense of necessity:

Hungry kids and no welfare makes a man do what he can for his family.

I was fined for taking a deer that did not meet the Colo. Div. Of Wildlife's point res. I shot a spike deer and according to there rules for the season it had to be 2 point or better. I hunt only and soly for meat. I feel I should be able to do that at any time any place. I have always

had a current license when I hunt. I had a buck tag when I shot the spike. Like and regulation that Roosevelt's alphabet soup gov writes it is solely for revenue to the state or fed gov. The people of this country are taught ignorance in school that is why we have their stupid money grubbing minority lev gov in power. I will follow a law--but reg are not right.

To whom it may concern,
Hunting is a wonderful privilege for those who wish to participate. Hunting builds bonds between fathers and sons with proper gun safety and skills taught. It is not for all and a kill is not a must to have a good hunt. The stalk is my high point. When the trigger is pulled the work begins. There are people who say hunting should be stopped but never understand that hunters pay the bulk of search and rescue and the people who most use it are skiers. Hunting licenses pay to provide and maintain wildlife. I hope I can give you an understanding of one who loves to hunt and be in the outdoors. I have taken one animal illegally some years ago and I am not proud of it but I was laid off my wife was between jobs and in a resort town there are no soup lines and not very many who want to help. So I did what I thought to be write only there was some one who could not know my family's problems and did not care to ask or maybe just wanted the reward the state gives so they could maybe get their family out of some trouble in any case they turned me in at this point in my life I did not know the one person who could of and would of helped. Jesus and maybe that was his way to get my attention. ...Only once have I ever hunted illegally.... Never hunt illegally for sport....I am not saying poaching is right but you put your family in my family's place there are people who say hunting is destroying are wildlife and these are the same people who say Colorado needs more skiable areas and destroy thousands of acres each year of habitat and what about the land that BLM sell every year to builders and that hits home as I am in construction when I was before the judge there was no question why just pay there should be a review board in the department of wildlife and if they are not satisfied it should go to court they

can spend millions on bike paths for tourist and not help local people or show some compassion for locals who serve and build these resorts I thank you for your time and hope that there is something here that helps you
God Bless

Game wardens, however, said that in the field they rarely hear the "I needed the meat" or defense of necessity excuse. The financial consequences (i.e. gun and vehicle forfeitures, fines) of illegally taking a deer are simply too great for the benefits that are derived from it (fifty to sixty pounds of meat from an average deer). It appears to be more socially acceptable among hunters and the public to claim that one needs the meat than it is to claim that a deer was illegally taken for other purposes.

This is similar to the findings of Glover and Baskett (1984). In their study of convicted closed-season deer poachers in Missouri, they found that about half of the subjects claimed to have poached for the meat. Glover and Baskett (1984, pp.107-108) state the following about the rationalization of poaching for the meat:

Acquiring meat (50.6 percent) and recreation-vandalism (34.0 percent) were the two principal reasons given by poachers for committing deer violations.....About one-half of the poachers stated that they poached for meat. A possible reason for this high percentage might be that poachers were attempting to make their arrests seem less culpable to local citizens, and to elicit sympathy for acts of poaching. If this assumption is correct, recreational poaching may be even more of a reason for poaching than

our study indicated.

Indeed, an in-depth interview with the subject who wrote the previous letter yielded the following statement in which he attempted to reaffirm the social acceptability of illegal hunting for the meat while at the same time acknowledging that poaching for other reasons, especially a trophy, is completely unacceptable:

I killed a doe, and it was for the meat only. I've only hunted illegally once in my life. Its wrong to poach, but its wrong for a family to go hungry as well. Hunting builds strong bonds between people that last forever. It teaches respect for animals and the forest. Poaching for a rack is unacceptable. There should be leniency for people who need meat. What's the bigger crime: killing deer or burning down forest for new ski slope runs? This loss of habitat hurts more deer and elk than poaching ever does.

In regard to the condemnation of the condemners technique of neutralization, some of the subjects strongly believed that game wardens sometimes hunt deer illegally. For example, in reference to this statement one subject wrote "I know of 3 that do." Some of the subjects also had very negative attitudes and a great deal of hostility toward game wardens and the division of wildlife as well, as the following comments from one individual suggest:

Hunting in the state of Colorado is all dirty dirty polotics. You must be a prick to become a game warden in the state of Colorado. It helps in their point status. I'm white 70 years old and a veteran of two wars & god dam proud of it.

I fought for you, so you can send me this stupid survey. Bull. First of all I'm not answering any of your survey or trick questions. You have all the facts from the game commission. But you don't have all what happened, you were not there. I did and got everything legal in the state of Colorado. And from me you will never know the truth & regards to all your questions and trick questions are you going to be a game warden. I got my deer license with my Colorado driver license nothing illegal about that. Hunted in the state of Colorado for years. They made lots of revenue on me. No more I quit they are like the U.S. government, crooks & a bunch of pricks, you come to my house you will get a mouth full, also I got a video you would really like to see about elk hunting which was all illegal. No one is aware of the taking.

Attitudes Toward Game Wardens

Many of the individuals held very negative attitudes and hostility toward the Colorado Division of Wildlife and the game wardens who are employed with the organization. The following comments were typical of these negative feelings:

The area game warden is an ass.

I have a real hatred for them. I wouldn't trust them. I think a lot of them are assholes.

The game warden is a horse's ass deluxe!

In addition, several of the individuals also felt that when there was a dispute that involved private land and ranchers, game wardens in Colorado would side with the ranchers and not listen to their side of the situation.

However, not all of the respondents felt this way toward the game wardens. Some of them felt the game wardens treated them fairly and decently, and indicated that they felt the game warden's job was a difficult one. The following comments relate some of the more positive feelings that were expressed toward game wardens:

The game warden was cool. He wrote a letter to the court stating that the deer was shot on BLM land. Most game wardens are cool, they're just doing their job.

I was in-between jobs, scrounging for groceries. I was trying to put meat on the table for my family. I was target shooting with a friend on my grandparent's property, and it just kind of happened. They dropped a few charges and were lenient with me because I cooperated and told them everything. The game warden was decent. They have a hard job to do. Normally I'm against poaching but I did a stupid thing at a stupid time.

CHAPTER VII

CONCLUSION

This study provides strong support for neutralization theory. Most of the individuals who hunt deer illegally believe that illegal deer hunting is wrong. Indeed, ninety-percent of subjects in the sample believe in the moral principle regarding poaching. These individuals tend to be committed to the dominant normative system of society.

Nearly all of the subjects who believe that illegal deer hunting is wrong made use of neutralization techniques in order to justify their participation in this activity. Only two subjects did not subscribe to at least one technique of neutralization. Thus, when it comes to hunting offenses the use of neutralization techniques as a mechanism for reducing guilt appears to be very common.

Some neutralization techniques were reported more often than others. The four most common techniques of neutralization used by subjects to justify participation in this particular type of activity were the denial of responsibility, the metaphor of the ledger, the claim that everyone else is doing it, and the defense of necessity.

Illegal deer hunting is most often committed by males. Females do not participate in recreational hunting to the extent that men do, and as a result there are very few women

in relation to men who commit this type of offense.

This study also found that illegal deer hunting is committed by members of all social classes. It is committed by those individuals who are in poverty as well as those who are better off and who have large incomes in excess of \$75,000 per year.

Most poaching offenses tend to be opportunistic in nature and take place during the legal deer hunting season. Trophy poaching is not as common, but it receives considerable publicity when it does occur.

Suggestions for Future Research

Although it is a difficult topic to study, there are several possibilities for future research on poaching and poachers. First of all, similar to this study, future studies on poaching could examine it by using a mail-out survey with individuals who have been cited for the crime. However, instead of using the word "poaching" in the cover letter or survey instrument itself, future studies should instead use the phrase "illegal hunting."

This is because as the one game warden that was interviewed earlier indicated, this would most likely generate a higher response rate since most of these individuals are willing to acknowledge that they committed a

violation, but at the same time do not see themselves as poachers or view their acts as poaching and find the term offensive. This should lessen the hostility of subjects toward the researcher upon receiving a questionnaire.

Future mail-out surveys should also make greater use of open-ended questions while at the same time limiting the use of close-ended questions. It is clear from the present study that many of these individuals prefer to explain their specific situations, and much useful information can be obtained from their attempts to neutralize their deviant behavior. In addition, in this study many subjects simply failed to answer the close-ended questions that they felt did not apply to their particular case.

Another productive research strategy that should be used in future studies of poaching is participant observation. Although it is difficult to gain access to poachers, much useful information about poaching behavior and attitudes could be obtained by spending time with poachers as they carry out their illegal activities. Clark (1996) successfully used this method in his study of poachers in southeastern Ohio. In addition, while conducting in-depth interviews with aquatic wildlife law violators, Curcione (1992) observed their illegal activity over a three year period. A similar study conducted in the

rocky mountain region of the United States would be beneficial.

The case study method should also be used to study poachers. This method has been successfully used to study other forms of crime, such as with Sutherland's work *The Professional Thief*. This would entail conducting a life history of a single poacher and could provide insights into the factors leading to a deviant lifestyle, such as the socialization process and its role in the development of attitudes toward wildlife and the use of specific techniques of neutralization.

Future research could also examine game wardens and how they use profiling techniques to locate offenders, especially in trophy hunting areas. For example, one game warden said that in certain trophy deer hunting units they profile vehicles by looking for things such as out of state license plates as well as pickup trucks with shells on the back that prevent visibility of the contents. Also, factors influencing the social construction of poaching could be examined, such as the type of person that gets prosecuted for poaching as well as the factors influencing a game warden's decision to arrest or prosecute. This would be similar to LaFree's (1989) work on the social construction of rape and the use of typifications by police, prosecutors

and juries.

Another suggestion for future research on poaching is to conduct surveys with other types of offenders, such as those who violate fishing regulations as well as with those who commit game bird and waterfowl violations. It would be interesting to compare the neutralization techniques used for these "minor" forms of poaching with those techniques that are used for more serious types of poaching, such as those involving deer or other big game animals.

And finally, future studies should include surveys of members of the general hunting community about hunting violations they have committed. Information obtained from self-report measures would be useful because the majority of hunting violators are not apprehended. In addition, previous research suggests that the majority of offenders that are apprehended for hunting violations are members of the hunting community and are licensed sportsmen. Musgrave et al. (1993, pp.1011-1012) stated "Studies on convicted poachers reveal that most are experienced sportsmen. Unfortunately, they lack the knowledge or motivation to be good stewards of wildlife."

Indeed, studies suggest that poaching violations are common among hunters. Citing a study of 3600 waterfowl hunters conducted by the U.S. Fish and Wildlife Service in

1974, Musgrave et al. (1993,p.980) state that "...70 percent of individuals admitted to illegal party, or group hunting; 48 percent admitted to shooting before and after legal hours and 39 percent admitted to violating bag limits." It would be beneficial for state wildlife agencies to determine the proportion of big game hunters as well as fishermen who report similar violations.

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APPENDIX A

COVER LETTER FOR SURVEY INSTRUMENT

OKLAHOMA STATE UNIVERSITY



Department of Sociology
006 Classroom Building
Stillwater, Oklahoma 74078-4062
405-744-6105 or 405-744-6104
FAX 405-744-5780

March 26, 1997

Dear Sportsman,

Hunting is an important recreational activity in the state of Colorado. There is a great need to have an accurate understanding of the attitudes and motives of individuals who hunt, since there is little information available.

My name is Steve Eliason, and I'm a graduate student in the Department of Sociology at Oklahoma State University. I'm conducting a study on poaching for my dissertation. You are one of a sample of adult residents from the state of Colorado who have been selected to participate in this study. Your name was selected from a list of individuals provided by the Colorado Department of Wildlife who have been cited for illegal deer possession in the state of Colorado.

Please take a few minutes to complete the enclosed survey. For the results of the study to be truly representative, it is important that each questionnaire be completed and returned. You may be assured of complete anonymity. Your name does not appear anywhere on the survey, so there is no way that your responses may be identified. All information submitted will be kept strictly confidential. When you complete the survey simply put it in the enclosed envelope, seal it and drop it in a mailbox. If you have any questions about issues of anonymity or confidentiality regarding the study, please feel free to call Gay Clarkson at the Oklahoma State University IRB (Institutional Review Board) Office at (405)744-5700, or write to her at the following address: 305 Whitehurst, Stillwater, OK 74078.

I would be most happy to answer any questions you might have concerning the study. Please feel free to call me at (405)744-6104.

Thank you for your assistance.

Sincerely,

Stephen L. Eliason

Stephen L. Eliason
Graduate Assistant



The Campaign for OSU

APPENDIX B

HUNTING QUESTIONNAIRE

Hunting Questionnaire

The following section contains statements about illegal deer hunting. Please indicate the extent to which you agree or disagree with these statements by circling the appropriate number.

	Strongly Disagree 1	Disagree 2	Undecided 3	Agree 4	Strongly Agree 5
Illegal deer hunting is wrong.	1	2	3	4	5
Hunting deer out of season is generally wrong, but is okay in certain circumstances such as when a person is being attacked by an animal	1	2	3	4	5
Shooting a deer out of season is okay because it is not harmful.	1	2	3	4	5
Hunting deer out of season is okay because it helps to control the deer population.	1	2	3	4	5
Game wardens sometimes hunt deer illegally	1	2	3	4	5
Sometimes I hunt deer illegally with my family because my family is more important than the law.	1	2	3	4	5
I didn't intend to kill a deer illegally, it was an accident.	1	2	3	4	5
Sometimes hunting deer illegally is necessary to get meat.	1	2	3	4	5
A person can be a conscientious hunter even though they sometimes hunt illegally.	1	2	3	4	5
Deer hunting regulations are not fair.	1	2	3	4	5
Most deer hunters hunt illegally at some point in their life.	1	2	3	4	5
It is an individuals right to hunt deer whenever they want.	1	2	3	4	5

	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree
	1	2	3	4	5
The Colorado Division of Wildlife does a good job of managing the state's wildlife resources.	1	2	3	4	5
When I go deer hunting it is important to harvest an animal.	1	2	3	4	5
When I go deer hunting it is important to harvest a trophy size animal.	1	2	3	4	5
Trophy deer are highly valued by hunters.	1	2	3	4	5
When a person kills a trophy deer it is a sign that they are a good hunter.	1	2	3	4	5
I only feel a hunt is successful if I get a trophy deer.	1	2	3	4	5
Hunters place too much importance on getting a trophy deer.	1	2	3	4	5
I feel bad when I go hunting and do not get a large deer.	1	2	3	4	5
Among most of my family members and friends, illegal deer hunting is considered to be a legitimate activity.	1	2	3	4	5
The government should not have the right to regulate hunting activities.	1	2	3	4	5
Higher fines for illegal hunting would lessen the likelihood of my hunting illegally.	1	2	3	4	5
A long jail term for illegal hunting would lessen the likelihood of my hunting illegally.	1	2	3	4	5
Loss of hunting privileges for illegal hunting would lessen the likelihood of my hunting illegally.	1	2	3	4	5

	Strongly Disagree 1	Disagree 2	Undecided 3	Agree 4	Strongly Agree 5
Publishing my name in a local newspaper for illegal hunting would lessen the likelihood of my hunting illegally.	1	2	3	4	5
If I was certain that I would be arrested for illegal hunting it would lessen the likelihood of my hunting illegally.	1	2	3	4	5

	Very Low	Low	Average	High	Very High
How likely is it that a person will be arrested for illegal hunting?	1	2	3	4	5

Which of the following would be most likely to stop you from hunting deer illegally? (Please number from Most Likely [1] to Least Likely [4])

- Large Fine
- Long Jail Term
- Loss of Hunting License
- Publishing your Name in Local Newspaper

What kind of penalty did you receive for your most recent illegal deer hunting offense? (Circle ALL that apply)

- 1 Fine (How much? \$ _____)
- 2 Jail Term (How long? _____ Days)
- 3 Loss of hunting license (For how long? _____ Years)
- 4 Probation (How long? _____ Years)
- 5 Other (Please list: _____)

If you were caught hunting deer illegally which one of the following do you feel would be most likely to happen?

- 1 Nothing
- 2 Warning
- 3 Ticket
- 4 Fine
- 5 Be placed on Probation
- 6 Be required to attend Hunter Education Classes
- 7 License Revocation
- 8 Jail Sentence
- 9 Other (please list) _____

Would you be more or less likely to hunt deer illegally on private land that is posted?

- 1 Very likely
- 2 Somewhat likely
- 3 Unlikely
- 4 Very unlikely

Think back to the first time you hunted deer illegally. Which of the following people were with you ? (Please circle all that apply)

- 1 Close Family Members (father, brothers)
- 2 Distant Family Members (grandfather, uncles, cousins)
- 3 Close Friends
- 4 Acquaintances
- 5 No one was with me

Have you ever been arrested for any crime(s) other than illegal deer hunting?

- 1 Yes
- 2 No

If Yes, please indicate how many times you have been arrested: _____ Times

Please describe the most recent offense(s): _____

People hunt deer illegally for different reasons. What is your main reason for hunting deer illegally?

- 1 To get a Trophy
- 2 For the Meat
- 3 For Excitement
- 4 To Sell Animal Parts and Earn Money
- 5 Weekend Entertainment
- 6 Other (please indicate reason: _____)

When you take a deer illegally, do you keep the meat?

- 1 Yes
- 2 No

When you hunt deer illegally, how important is it for you to get a trophy size deer?

- 1 Not very important
- 2 Makes no difference
- 3 Very important

What sex are most of the deer that you hunt illegally?

- 1 Male
- 2 Female
- 3 Equally Male and Female

For the Male or Buck deer you hunt illegally, how many points do the antlers usually have on each side?

- 1 Two or less
- 2 Two or more
- 3 Only three or more
- 4 Only four or more
- 5 Not applicable

For the Male or Buck deer you hunt illegally, how large of a spread (in inches) do the antlers usually have? (Circle ALL that apply)

- 1 Less than 24 inches wide
- 2 24 or more inches wide
- 3 Both less than 24 and more than 24 inches wide
- 4 Not applicable

How wide of an antler spread (in inches) must a deer have in order for you to consider it to be a trophy-sized animal? _____ Inches

Have you ever hunted deer illegally during legal hunting seasons by hunting at night? 1 Yes
2 No

Have you ever hunted deer illegally during legal hunting seasons by exceeding the bag limit? 1 Yes
2 No

When does most of your illegal deer hunting take place, during the day or at night?

- 1 Day
- 2 Night
- 3 About Equal

Have you ever traveled out of state to hunt deer illegally? 1 Yes
2 No

Do you do most of your illegal deer hunting from roads? 1 Yes
2 No

In your lifetime, how many deer would you estimate that you've taken illegally? 1 One
2 Two to five
3 Six to ten
4 Eleven to twenty-four
5 Twenty-five or more

Have you ever used alcohol while hunting deer illegally? 1 Yes
2 No

Have you ever used drugs while hunting deer illegally? 1 Yes
2 No

Have you ever hunted deer illegally while being intoxicated? 1 Yes
2 No

Demographic Questions

For how many years have you been a resident of Colorado? _____ Years

What is the name of the community where you live? _____

How many years have you lived there? _____ Years

What is your age? _____ Years

What is your sex?

- 1 Male
- 2 Female

What is the title of your occupation? _____

What is the highest amount of education you have completed?

- 1 Some High School (not a graduate)
- 2 High School Graduate
- 3 Some College
- 4 BS/BA Degree
- 5 Graduate Work
- 6 Graduate Degree

What is your marital status?

- 1 Married
- 2 Single (never been married)
- 3 Separated
- 4 Divorced
- 5 Widowed

Which of the following broad categories did your total household income fall into before taxes for the year 1996?

- 1 \$14,999 or less
- 2 \$15,000 - \$24,999
- 3 \$25,000 - \$34,999
- 4 \$35,000 - \$49,999
- 5 \$50,000 - \$74,999
- 6 \$75,000 or more

What is your race/ethnicity?

- 1 White
- 2 Black
- 3 Hispanic
- 4 Native American
- 5 Asian/Pacific Islander
- 6 Other

I would like to discuss hunting practices in more depth. I'm interested in talking with some of the individuals in this study to find out their opinions and feelings about hunting-related issues. Would you be willing to participate in an in-depth interview with the researcher?

- 1 Yes
- 2 No

If Yes, please provide the telephone number where you can be reached in the space provided, and list the best time to contact you.

Telephone Number: () _____

Your FIRST NAME Only: _____

Best time to contact you: Between ____ a.m./p.m. and ____ a.m./p.m.

Thank you for taking the time to fill out this survey and helping me to complete this research project. Your cooperation in this study is greatly appreciated.

APPENDIX C

COMMENTS FROM A SUBJECT IN THE STUDY

I PAID THE FINE

I DID THE TIME

IF YOU WANT THE
ANSWER

TO THE CRIME

KILL YOUR OWN
DEER!!!

OUT OF TIME!

APPENDIX D

IN-DEPTH INTERVIEW QUESTIONS

In-Depth Interview Questions (Poachers)

Tell me about the incident of illegal deer hunting for which you were cited.

Did this happen during the open season or outside of it?

Was the deer a buck or a doe?

How many antler points did it have?

What are your feelings toward game wardens?

In-Depth Interview Questions (Game Wardens)

What is your age?

How long have you been a game warden?

How big of a problem is deer poaching in this area?

Has poaching changed over the years?

When does most poaching occur: during the legal season or outside of it?

What do poachers say when you apprehend them?

What kinds of rationalizations do they use?

Does the reason someone poaches make a difference in whether or not they are cited? (food or accident vs. Trophy)

Tell me about the type of individuals that are apprehended for illegal deer hunting. (Age, Sex, Social Class)

APPENDIX E

IRB REVIEW FORM

OKLAHOMA STATE UNIVERSITY
INSTITUTIONAL REVIEW BOARD
HUMAN SUBJECTS REVIEW

Date: 01-28-97

IRB#: AS-97-042

Proposal Title: A SOCIOLOGICAL ANALYSIS OF POACHING:
TECHNIQUES OF NEUTRALIZATION USED BY DEER POACHERS IN
COLORADO

Principal Investigator(s): Richard A. Dodder, Stephen L. Eliason

Reviewed and Processed as: Modification

Approval Status Recommended by Reviewer(s): Approved

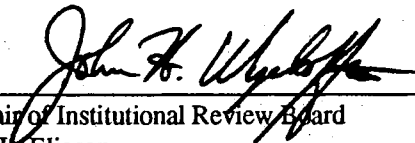
ALL APPROVALS MAY BE SUBJECT TO REVIEW BY FULL INSTITUTIONAL REVIEW BOARD
AT NEXT MEETING, AS WELL AS ARE SUBJECT TO MONITORING AT ANY TIME DURING
THE APPROVAL PERIOD.

APPROVAL STATUS PERIOD VALID FOR DATA COLLECTION FOR A ONE CALENDAR YEAR
PERIOD AFTER WHICH A CONTINUATION OR RENEWAL REQUEST IS REQUIRED TO BE
SUBMITTED FOR BOARD APPROVAL.

ANY MODIFICATIONS TO APPROVED PROJECT MUST ALSO BE SUBMITTED FOR
APPROVAL.

Comments, Modifications/Conditions for Approval or Disapproval are as follows:

Signature:



Chair of Institutional Review Board

cc: Stephen L. Eliason

Date: May 7, 1997

VITA

Stephen L. Eliason

Candidate for the Degree of

Doctor of Philosophy

Thesis: A SOCIOLOGICAL ANALYSIS OF POACHING: TECHNIQUES OF
NEUTRALIZATION USED BY DEER POACHERS IN THE WESTERN
UNITED STATES

Major Field: Sociology

Biographical:

Personal Data: Born in Baltimore, Maryland, on July 11,
1966, the son of Lynn and Annette Eliason.

Education: Graduated from Mountain Crest High School,
Hyrum, Utah in May 1984; received Bachelor of Arts
degree in Sociology and a Master of Arts degree in
Sociology from Utah State University, Logan, Utah
in March 1990 and June 1992, respectively.
Completed the requirements for the Doctor of
Philosophy degree with a major in Sociology at
Oklahoma State University in December, 1997.

Experience: Raised in Logan, Utah; employed by Utah
State University, Department of Sociology as an
undergraduate and as a graduate research
assistant; employed by Oklahoma State University,
Department of Sociology as a research and as a
teaching assistant.

Professional Memberships: Rural Sociological Society.