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THE GAME OF WARDENS AND POACHERS

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ABSTRACT

This paper is a descriptive analysis of the main aspect of the job of game wardens, the apprehension of poachers. Based on data from interviews with 62 game wardens the author describes the actions of game wardens in attempting to enforce wildlife conservation laws. Extensive quotations from interviews with game wardens are presented. The analysis is focused around their responses to guiding questions regarding the probability of apprehension of poachers. These include: (1) poaching alone, (2) very experienced at poaching, (3) never talks about their poaching activities, (4) the use of informants, (5) remaining mobile, (6) being familiar with the geographic area in which one poaches, and (7) poaching in a large area (not relegated to hunting in a small specific area). The concept folk crime is discussed.

The purpose of this research is to add to the existing body of literature on rural crime by studying the behavior of the game warden and the poachers/criminals they encounter. Despite the isolated rural location of these criminal acts and the lack of human victims researchers have given attention to the topic (Calkins 1971; Carter 2004, 2006; Curcione 1992; Eliason 2003; Eliason and Dodder 1999; Forsyth 1993a, 1993b, 1994; Forsyth and Marckese 1993a, 1993b; Forsyth, Gramling and Wooddell 1998; Green 1990; Hampshire et al. 2004; Jacoby 2001; Lawson 2002, 2003; McMullan and Perrier 2002; Muth 1998; Muth and Bowe 1998; Palmer and Bryant 1985; Reisner 1991; Sherblom, Keranen and Withers 2002; Tobias 1998; Walsh and Donovan 1984).

This paper is a descriptive analysis of one main aspect of the job of game wardens, the apprehension of poachers. Based on data from interviews with game wardens the author describes the actions of game wardens in attempting to enforce wildlife conservation laws. Extensive quotations from interviews with game wardens are presented.

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METHODOLOGY

This research is based on intensive interviews with 62 current and retired game wardens. Interviews with 57 poachers, which were not used in this paper, are a supplementary source of data. These add to the author's understanding and validation of the wardens' statements. Game wardens described their interactions with other wardens and with poachers. The interviews ranged from one to three hours. The wardens were selected by the author based upon his personal acquaintance with them and their availability. Respondents were interviewed in their homes, office or in the field. All these respondents had been or were Louisiana state game wardens. The poachers referred to in this project were primarily fishers and/or hunters of alligator, deer and water fowl.

Intensive interviewing is a guided conversation. The goal of which is to elicit information from the interviewee, which is rich and detailed enough to be used in qualitative analysis (Lofland and Lofland 1984). The objective of these intensive interviews was to discover the wardens' strategies, circumstances, perceptions, and activities before during and after confrontations with poachers. The author used the method of thick description (Geertz 1973). The technique was to let the responses speak for themselves, presenting the warden/poacher world in full vivid detail, and then to offer both summarization and interpretation. All data for this paper were collected in the in 2005 through 2007, but are part of an ongoing project 17 year project.

CHARACTERISTICS/ACTIVITIES OF POACHERS THAT INFLUENCE THEIR ARREST

There are several elements of poaching which directly influence the likelihood of detection and arrest of poachers. These include: (1) poaching alone, (2) very experienced at poaching, (3) never talks about their poaching activities, (4) the use of informants, (5) remaining mobile, (6) being familiar with the geographic area in which one poaches, and (7) poaching in a large area (not relegated to hunting in a small specific area). These are best fit models for explaining behaviors, as such, there is overlap between data categories. Some data will represent several categories, but may be the best fit and only example of the category in which it is found. These groupings of data should be seen as analytic devices rather than discrete clusters. Ultimately types, categories, and grouping solve the problem of giving labels to lots of stuff.

THE GAME OF WARDENS AND POACHERS

45

Poaching Alone

All wardens commented about the advantages, for the poacher, of working alone:

...if you want to be productive as a poacher...you need to work alone...that way you don't have to worry about the other guy.

Those poachers who work alone are less likely to be caught.

People who like to work in groups are easy to catch.

Your best poaching partner will always rat on you to save his ass.

The majority of poachers who work alone never get caught.

...hunts alone doesn't get catch

Experienced at Poaching

Game wardens all agreed that inexperience was a major factor in catching poachers. This perspective is apparent in the quotations offered below:

Unfortunately habitual offenders are hard to catch because they know the ropes.

Old timers will not be caught. I know of two old men who live together out in the swamp. They have no income...have nice boats, best guns...all stuff good for poaching.

I would have to believe it is the occasional offender that is caught most often.

Occasional offenders walk into this type of situation and . . . they are caught. But the one we are really after, the experienced professional poacher slips away.

Some who get caught are people new to the game of poaching. These people don't know any rules that you have to abide by to not get caught.

Someone who is poaching for the first time is easy to catch.

We will catch all of the stupid ones eventually.

...rookies at poachings...They are people doing it for the hell of it. We usually catch them while they are in the act, it's easy boom, we got them.

The one who gets caught...will do something stupid...kill a doe when it is not deer season...then drag it until someone sees them.

Poachers who are street smart are hard to catch

If they are very experienced forget it...can't catch someone without any leads...they leave no tracks or debris...the chances are slim.

It appears that many poachers are caught due to their mistakes. Unlike the experienced poacher, the inexperienced are easily caught:

...problems...with habitual offenders are that they often have been caught...before...they know the tricks, and are like a fox. You have to see the crime and catch them in the act to really make it stick.

Only the inexperienced poacher is easy to catch. I have watched experienced poachers for weeks and never seen them doing illegal things. They are all so tricky and smart.

The poacher who is dropped off at a location and hunts either with a crossbow or a rifle with a silencer is very difficult to apprehend. This type of poacher does not brag about his kills and he only hunts by walking, leaving no vehicle tracks or sounds. He is only caught by an experienced game warden who tries to think as the poacher would.

Never Talks About Their Poaching Activities

Those who are fairly new at this sport, tend to do it in groups. That may be more of a factor than their lack of experience. One of them will brag or show something to the wrong person. One time a kid met up with his

THE GAME OF WARDENS AND POACHERS

47

poaching buddies with a friend. The friend he took poaching was a game warden.

The ones not getting caught are the ones who keep their mouths shut.

If they know how to keep their mouths shut...are never caught.

The quiet ones will not get caught.

The poachers who get caught are those that feel the need to talk about or brag about their adventures

...never talk about their poaching activities...never get caught.

...these people like to stand around in...and talk about how they avoid the game wardens...they seem to brag to the wrong people.

...those poachers who keep their mouth shut do not get caught.

...talks or brags a lot.

The blabber mouth gets caught every time.

Game wardens admit the challenge in apprehending experienced poachers who work alone and never talk about their activities.

The Use of Informants

The informant is also an essential factor in the game warden's catching of poachers. As the following comments of game wardens indicate, informants are necessary in apprehending poachers.

I let someone off...do not arrest or charge them...they return the favor a thousand times...by becoming informants.

Ordinary people who brag are easy to catch...They take chances that they don't think are chances and love to brag about what they do and how

they do it. This usually leads to informants hearing about their activities and giving us this information and us acting on it.

The one who gets caught is a person who brags once too many times...one time to the wrong person...who then informs on the poacher.

We might not be that well equipped...but we have enough informants out there.

Those who are caught...like to brag...Eventually they talk to an informant.

A guy who has been an informant called me and said this fellow had been over to his house and had been bragging about what he does and never gets caught...I got two agents and three state troopers to come with me...he was sitting at a table with the hides and remains of three alligators...also several pounds of pot.

As indicated by these statements, most game wardens used informants and most of them found the information vital to the performance of their role as a law enforcement officer. Game wardens spent a great deal of their time on routine tasks, riding around in a specific area on the alert for violations of game laws. The confronting of individuals committing minor infractions is part of the production and use of informants that is necessary in the capture of more serious offenders.

Mobility

The geographical mobility of the poacher is associated with experience. Those who do not confine hunting to the same small area, and hunt in areas well known to them are also less likely to be arrested. The successful poacher does not confine hunting to a small area, but they also do not hunt in an unknown area. The successful poacher must find an area that is small enough to master geographically, but also large enough in which to remain undetected. Such areas should also be uninhabited. Beyond the physical geography of a place, the poacher must also know the movements of game wardens of the area. This kind of knowledge is associated with experience. The poacher uses mobility to avoid detection.

If he hunts in different areas he is hard to catch.

THE GAME OF WARDENS AND POACHERS

49

...easier...if he hunts same area continuously...

The poacher who is likely to get caught is the one who frequents the same areas.

The following comments of game wardens indicate just how elusive the experienced poachers are in areas familiar to them. These wardens admit they are no match for the mobility and knowledge of poachers in such areas.

Full-time poachers are not going to be caught. Especially if they decide to move around every once in a while. I think there are quite a few who poach full time, but it seems we never can catch up with them.

In contrast to the full-time experienced poachers are the inexperienced ones hunting in unfamiliar areas.

Knowledge of an Area

They go out in what they think is a unpopulated area and all of a sudden...get a complaint about some house being shot.

Maneuvering in an unfamiliar area makes arrest almost a certainty.

Poaching In A Large Area

The hardest to catch . . . They are always in the same general area but that area is too large for us to cover. They move around in a huge area that they know like the back of their hand.

SUMMARY

According to current data those who get caught poaching do so because they either are inexperienced or talk to a person who later acts as an informant. Those who do not get caught are very experienced at poaching, work alone and do not talk to anyone about their activities. The experience of those engaging in any criminal activity has always been a factor in the apprehension of criminals. Also, the more one associates with other poachers in social relationships the greater the likelihood they will talk to someone who has been caught poaching and consequently may act as an informant to maintain a favorable position with the game warden. Poachers must continually alter their routines to avoid detection. Game wardens must

continually change their schedules so that the poacher cannot anticipate their location at any specific time. Those poachers who are geographically mobile are also less likely to be arrested. Poachers who work in a large but familiar areas are difficult to apprehend. A game warden summed it up.

A good poacher never gets caught...he engages in illegal activities alone...they will never brag about their activities...constantly change their areas of operation... but always within an area that they know very well but large enough that we can't do stakeouts. A poacher's distrust of others is his best protection from outsiders.

A seldom discussed characteristic of the criminal lifestyle is that one must routinely deal with others who are likely to be untrustworthy or treacherous. Partners may talk to the wrong people or talk too much. If arrested, partners may bargain with wardens or prosecutors, informing on others in return for more lenient treatment. As one game warden commented,

If poachers can contain all information regarding their illegal activities they can virtually erase any advantage the game warden has. Without the informant the game wardens are severely impeded in their work.

DISCUSSION

Violations of hunting and game laws are examples of folk crimes (Bankston and Jenkins 1982; Ross 1961, 1973). Ross (1961:236-237) offered several speculative propositions concerning folk crime, some of which are descriptive of poaching:

- A. Major increments to the complexity of a society...create a need for regulation where none was previously necessary.
- B. Legislation to regulate the conditions caused by increasing complexity reclassifies prevalent non-criminal behavior as crime.
- C. ...where the harmful effect of the proscribed behavior is indirect or improbable usually, the novel legislation may not be related to previously existing norms.
- D. Criminal behavior in folk crime is rooted...in the culture of groups most affected by the...legislation...

These propositions are the origins of much cultural conflict. Many laws violations in any community fall in this category of crime. These laws have little moral restraint associated with them and although their violation is not generally

THE GAME OF WARDENS AND POACHERS

51

approved, such crimes are numerous, differentially treated in the legal process, and unstigmatized. As a result these violations became accepted as normal behavior in some cultural settings. It is only in recent times that violation of hunting and game laws has become interpreted in other cultural settings as deviant behavior. Some types of behaviors tolerated, approved, or perhaps encouraged in an area of low population density with bountiful resources may be less condoned or even proscribed when the population increases or the competition for resources accelerates and broadens. Increasingly urban values reserve fish and game for middle class recreation. As such, this sets a stage for cultural conflict. The conceptual foundation of folk crime and culture conflict provide a sociological frame to view the game of wardens and poachers. This research will serve as a heuristic device for further research focused on understanding two of the other elements in the game of crime; wardens and poachers.

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THE GAME OF WARDENS AND POACHERS

53

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