

F&G target of investigation



Phil Thompson of Hayden-based Confidential Investigations thinks the state department is serving itself, not the public. - Taryn Hecker

By Ralph Bartholdt

Published: Tuesday, April 7, 2009 2:42 PM PDT

The state agency charged with protecting fish and wildlife and serving the public is riding roughshod over the public's trust, according to private investigators who spent two years investigating Idaho Fish and Game.

Conservation officers at Idaho Fish and Game are accused of using department vehicles for personal use, putting their children and families in harm's way by taking them on patrols, misspending public funds on lengthy investigations that result in few or no convictions and being less than open when it comes to public records requests.

"The general undertone is misuse of resources," said Phil Thompson, vice president of Hayden-based Confidential Investigations, which spent \$13,000 investigating Idaho Fish and Game.

Fish and Game counters that its officers must adhere to strict guidelines when using department property.

Any misuse that came to light as part of the private investigation is being addressed, said Mike Keckler, the department's spokesman.

The report comes at a time when the game department is raising the cost of the licenses and tags that fund approximately 50 percent of its operations.

Confidential Investigations began looking into department records as part of a civil case two years ago when red flags popped up in other areas, Mr. Thompson said.

Interdepartmental e-mails, witness statements and court records show, Mr. Thompson said, that Fish and Game conservation officers routinely use state-owned equipment -- including vehicles, phones and cabins -- for personal use, something that is accepted by the department.

"They are condoning it," he said. "They are encouraging it."

He cites e-mails like one that District Conservation Officer Mark Rhodes wrote to a senior conservation officer.

"I have absolutely no problem with our folks using department phones (or other equipment for that matter) for personal stuff as long as we make things right," Mr. Rhodes wrote.

The investigation found that Fish and Game employees routinely used the department's remote cabins for family get-aways.

Department policy allows Fish and Game staffers to take their families on getaways to the remote cabins as long as they perform routine maintenance, Mr. Keckler said.

"We have 20 cabins out there, most of them in very remote areas throughout the state," he said. "They are hard to maintain and we don't have the resources.

"We do allow people to check those out and encourage officers go out in those cabins.

"We allow them to take their family with them and spend a few days out there as long as they do routine maintenance work, as long as the cabin is not needed for enforcement purposes."

Virgil Moore, the department deputy director of Idaho Fish and Game said the cabin policy has been in place a long time and it encourages Fish and Game staffers and their family members to pursue outdoor recreation and at the same time maintain Fish and Game property.

"I think we have a defensible policy," he said.

Accusations of misuse aren't fair, he said.

"The criticism that we are too lax, or that our management systems aren't appropriate relative to the public service we provide...I don't think that's the case," he said. "Nothing we do should result in additional cost to the hunting public."

The investigation also found that officer's children are routinely allowed to ride along on patrols.

An e-mail from Senior Conservation Officer Mark Bowen reads: "OK, I am planning to bring my daughter along tomorrow to do a CDA boat patrol."

Bringing children on patrol is common, Mr. Thompson said, and Fish and Game sometimes uses the term "non-enforcement patrol," when officers bring their children along in the field.

According to Fish and Game, officers are discouraged from taking children on law enforcement patrols.

"They are not taking young people along if there is a potential that high-risk contact would occur," Mr. Keckler said.

Either way, Mr. Thompson maintains patrolling with children puts youngsters in harm's way and would likely induce a conservation officer to forgo his or her duties if they thought the situation could be dangerous.

"The worst part, I think, is putting children in danger," he said. "They are sworn to protect and uphold the law and protect citizens and game. What is 'non-enforcement' when you are an enforcement officer? It doesn't compute."

As part of its public relations plan the department encourages officers to take children for drives and hunts, Mr. Keckler said. It gives the public a better understanding of what Fish and Game officers do in the field.

"We want to offer a little wiggle room for officers to do that sort of thing," said Mr. Keckler. "I know we're evaluating that right now. It has been discussed. We're evaluating if that is permissible.

"We don't want officers taking kids out on situations that could pose a risk."

The 300-page document includes six sections. One section recounts two high-profile Fish and Game cases that resulted in a handful of misdemeanors.

In a 2001 case that originated at Calder along the St. Joe River, Fish and Game officers bragged about breaking up a "ring of international poachers," and the case was touted by a Shoshone County prosecutor as "the worst case I've ever seen in the state."

The case against the main suspect, a 57-year-old man accused of illegally guiding and killing bear, turkeys and elk, seemed based more on tall tales than hard evidence. It was eventually dismissed.

"Sometimes we win, sometimes we lose," Mr. Keckler said. "That is the nature of the investigation work."

In another case three years ago called "Operation Snowball" the department spent, according to Mr. Thompson, almost \$30,000 and nailed down six misdemeanor citations in 5 days of field work.

The convictions included tag transfers and an illegally killed elk. They cost perpetrators approximately \$3,000 in fines and fees, but Fish and Game spent close to \$6,000 for each conviction, said Mr. Thompson.

"The Snowball and Calder operations are examples of enforcement resources thrown together on faulty information which further alienates communities which seemingly have become more distrustful over the years of IDFG," Thompson concluded in his report. "We suggest that the money used in Snowball...could have been better spent by putting those nine game wardens on patrol in their respective districts, interacting with the public under the Enforcement Creed and furthering hunting and fishing in Idaho."

The department stands by the investigation and its results.

"We think it was a legitimate investigation," said Mr. Keckler. "Six convictions is just that: Six convictions. We needed to take action there. It was a poaching ring. These people are essentially stealing from all of us."

The report also accuses the department of being less than open in showing its public records.

Two state legislators, including Reps. Phil Hart and Dick Harwood, intervened when the department wanted to charge investigators more than \$500 for compiling public records, said Mr. Thompson.

The department cites Idaho statutes that allow charging for records that take a long time to compile.

"It took a lot of time to get their records together," said Mr. Keckler. "Statute allows us to charge when it reaches a certain point."

"Once lawmakers sent us a letter to waive those fees, we promptly did that."

He said that many of the incidents cited in the report are being addressed by the department.

"We are not trying to hide anything from anybody," said Mr. Keckler. "Our bosses said we run a transparent agency and we stand by that."

He said when department policies and guidelines are not adhered to it becomes a personnel matter.

"We trust our folks not to abuse this," he said.

Investigators likewise stand by their report. As fewer newspapers have the time to delve into their own investigations it becomes necessary for private firms to pick up the slack, they said.

“As a citizen of Idaho, who pays taxes, as a business, we pay a lot of taxes, it’s really frustrating to see that organizations that are supposed to serve people is really serving itself in our opinion,” said Erin Jenkins, president of Confidential Investigations.

Confidential Investigations has been nominated for the 2009 Max Dalton Award through the Idaho Newspaper Foundation for its efforts.

The report can be viewed online at <http://idahoprivateeye.com/fishandgame.html>.