

State of Alaska FY2007 Governor's Operating Budget

Department of Public Safety Alaska Bureau of Wildlife Enforcement Component Budget Summary

Component: Alaska Bureau of Wildlife Enforcement

Contribution to Department's Mission

Preserve public peace, protect life, property, and resources.

Core Services

The purpose of the Alaska Bureau of Wildlife Enforcement (ABWE) is to protect state fish and game resources by a combination of uniformed trooper patrols, covert investigations, and educational and public awareness programs. In addition, ABWE is the Division of Alaska State Troopers' bureau with primary responsibility to provide boating safety education and enforcement statewide.

ABWE provides a trooper presence in remote areas of Alaska where little or no other law enforcement exists. While patrolling a complex array of sport, commercial, personal use, or subsistence fisheries and commercial, sport, or subsistence hunting seasons, ABWE troopers are fully commissioned Alaska State Troopers who independently recognize and act upon many other public safety emergencies, enforcement matters, and concerns.

ABWE performs wildlife enforcement patrols and investigations throughout Alaska. The bureau:

- Performs primary police service in many remote communities.
- Performs wildlife law enforcement patrols and investigations throughout Alaska's 586,000 square miles of landmass, 36,000 miles of coastline, and 336,000 square miles of expanded federal jurisdiction in the Bering Sea.
- Provides boating safety education and enforcement.
- Participates in search and rescue missions statewide.
- Investigates and apprehends criminal offenders.
- Maintains thirty-five ABWE posts strategically located throughout Alaska to assure optimum trooper presence and coverage. The bureau is composed of five distinct geographical regions. Southeastern Region covers Southeast Alaska with the headquarters located in Juneau and posts in Petersburg, Klawock, Haines, Hoonah, Sitka, Ketchikan, and Wrangell. Mat-Su Region covers Southcentral Alaska with the headquarters located in Palmer and posts in Anchorage, Glennallen, Big Lake, and Talkeetna. Southwestern Region headquarters are located in Kodiak with posts in King Salmon, Iliamna, Dillingham, and Dutch Harbor. The Kenai-Prince William Sound Region headquarters are located in Soldotna with posts in Girdwood, Anchor Point, Seward, Valdez, and Cordova. The Northern Region headquarters are located in Fairbanks with posts in Galena, Coldfoot, Delta Junction, Tok, Cantwell, Nome, Bethel, Aniak, McGrath, and St. Marys.

FY2007 Resources Allocated to Achieve Results

FY2007 Component Budget: \$14,196,100	Personnel:	
	Full time	113
	Part time	17
	Total	130

Key Component Challenges

Alaska's coastline of 36,000 miles represents 40 percent of the nation's coastline and almost 89 percent of the Pacific states' coastline. ABWE's patrol area is unrivaled by the remaining states, and is the equivalent in distance from the Carolinas to California and Texas to the Great Lakes. Each ABWE field trooper has to cover, on average, over 11,151 square miles of land mass, coastline, and waterway.

ABWE continues to operate at a minimally acceptable enforcement level. Many areas of the state are not patrolled or are only occasionally patrolled. Only with the support of the Department of Public Safety marine enforcement section and its fleet of 17 vessels ranging from 25' to 156', and the department's aircraft section with its compliment of patrol aircraft, can the ABWE core mission be effectively administered. During FY2005, ABWE troopers were at sea a total of 988 days on the various vessels, and spent 4,120 hours patrolling this vast landmass with aircraft. But, having the skilled personnel and providing the proper training to conduct these unique patrols is increasingly more challenging.

In FY2004, 536,824 resident and nonresident sporting licenses were sold in Alaska compared to 510,341 in FY2003. This trend has continued to rise annually since 2001 and is expected to continue into the future. Many commercial fisheries, big game hunting areas, and sport fisheries receive little or no resource enforcement.

The challenge to ABWE is to provide at least adequate enforcement of fish and wildlife laws with existing resources in the face of this increasing use.

Significant Changes in Results to be Delivered in FY2007

The addition of eight new Public Safety Technician II's, for a total of fourteen, will allow for the expansion of the dockside monitoring and compliance-checking program for commercial fisheries. Dockside monitoring is part of a Joint Enforcement Agreement (JEA) between the National Marine Fisheries Service (NMFS) and the Division of Alaska State Troopers (AST). NMFS funds the Public Safety Technician II positions strategically placed throughout Alaska to assist in monitoring and gathering data from commercial fishers landing their federal catch in Alaska ports. Violations of both federal and state regulations are documented and follow-up enforcement action taken by either NMFS agents or an Alaska State Trooper. The overall intent of this program is to create an incentive environment for regulation compliance as well as allow the field troopers and NMFS agents to concentrate on other enforcement activities, until an enforcement issue is discovered or develops.

Major Component Accomplishments in 2005

Alaska Bureau of Wildlife Enforcement conducted targeted enforcement programs in the Bristol Bay commercial salmon fishery, Bering Sea and Bristol Bay commercial crab fisheries, Yukon River commercial king salmon fishery, and the Southeast sac roe herring fishery. A variety of big game programs were implemented to monitor the harvesting of moose, sheep, brown and black bear, in the regions of Southeast, Interior, Alaska Peninsula, and the Brooks Range. The total number of wildlife violations detected increased from 6,736 in FY2004 to 7,086 in FY2005. The number of AST patrol related violations detected increased from 4,359 in FY2004 to 4,805 in FY2005.

ABWE continued the Joint Enforcement Agreement (JEA) with the National Marine Fisheries Service (NMFS). During FY2005, the JEA allowed ABWE to employ eight public safety technicians to conduct dockside commercial vessel checks for federal and state compliance with commercial fishing regulations. Expansion of this program in the near future in response to the newly developing federal Crab Rationalization Program is expected.

ABWE troopers in the Kenai-Prince William Sound Region conducted foot, patrol vessel, and ATV patrols of the Kenai River. These patrols resulted in 1,110 contacts, 94 citations, and 107 warnings for various sport fishing violations. This does not include any other Peninsula river.

ABWE troopers in the Kenai-Prince William Sound Region increased their efforts to patrol Department of Environmental Conservation approved beach areas during clam tides during FY2005. This resulted in 31 overlimit clam cases in FY2005 as opposed to 21 cases in FY2004.

In FY2005, Southeast Region ABWE troopers closed investigations on at least five Big Game Guides and Transporters. The Department of Law successfully prosecuted two cases. One defendant was charged with 7 offenses and was sentenced to \$19,000 in fines with \$9,500 suspended, 630 days of suspended jail time, 140 hours of community work service, 3 years of probation, and revocation of his hunting license for 3 years. A second defendant was charged with 3 offenses and was sentenced to \$6,000 in fines with \$3,000 suspended, 30 days of suspended jail time, and a 3-year suspension of his transporter license. Two additional cases are in the prosecution stage and one was resolved by the Department of Law without conviction.

Southeast Region ABWE troopers conducted enforcement programs for moose hunting seasons in Haines, Gustavus, Taku River, Stikine River, and Kupreanof Island. This increased presence and focused enforcement effort resulted in an

increase in hunter contacts. During the period, 99 cases were generated by ABWE troopers in the area. There were 456 resource user contacts; 10 warnings and 18 citations were issued. Significant cases included sublegal moose, wanton waste of game, taking of a cow moose during closed season, and search and rescue operations for lost and overdue hunters.

ABWE troopers successfully investigated the poaching of almost an entire herd of Musk Ox. The investigation resulted in the identification and prosecution of numerous defendants. The various defendants were convicted of several offenses, which resulted in their being sentenced to multiple thousands of dollars in fines and restitution and the forfeiture of several weapons and pieces of equipment such as snowmachines.

ABWE troopers focused efforts on increasing sport fish patrols. During FY2005, ABWE troopers assigned to the Matsu Region initiated 18 closed water cases and 43 fail to record King Salmon cases in the Campbell Creek and Ship Creek areas alone. This resulted in the generation of 61 cases compared to 29 cases initiated during the same time period in FY2004.

ABWE troopers also focused efforts on identification of illegal bear bait stations in the Matsu Region during FY2005. A total of 14 citations for illegal bear bait stations were issued in that region alone, compared to 7 citations during the same time period of FY2004.

ABWE troopers investigated and prosecuted a case where a registered guide instructed a client to shoot a brown bear in front of an occupied residence near King Salmon along the Naknek River. The hunter fired eight shots directly in front of the house. The residents of the house were in fear of their lives, called 911, and were about to return fire when the shooting stopped and the bear killed. The hunter was charged for his actions and pled guilty. He lost his rifle, paid thousands of dollars in fines, and had to write an apology letter to the victims. The registered guide is also pending charges.

ABWE troopers investigated a case where a father and son from Washington State had been illegally hunting in Alaska for the last five years. Troopers flew to the men's camp on two occasions and were able to document illegal hunting activity and the taking of a sub-legal moose near Port Alsworth. When the men flew out of their camp, ABWE Investigators met the men at the Anchorage airport and seized their moose and rifles. The case is still under investigation and approximately 30 criminal charges will be forwarded for prosecution. The case originally stemmed from a Wildlife Safeguard tip being received earlier in the year and worked during the fall game program.

ABWE troopers increased the number of hours dedicated to boating safety enforcement from 183 hours in FY2004 to 1,676 hours in FY2005. This resulted in 5,292 boating safety contacts and the detection of 652 boating safety violations.

During FY2005, the new 69' patrol vessel (*P/V Enforcer*) was placed in service with a homeport of Ketchikan and the 29' Sea Warden was re-configured and upgraded. The department took delivery of the *P/V Courage*, the 33' replacement vessel for Sitka, in December 2005.

ABWE troopers implemented a specialized Sex Offender Registration and Arrest Warrant service enforcement program. This resulted in the address verification of 153 registered sex offenders, 26 violations for failing to register as a sex offender, 242 attempts to serve arrest warrants, and 96 arrest warrants served.

Statutory and Regulatory Authority

DPS - Powers and duties of department (AS 44.41.020)
State Troopers (AS 18.65.010 - AS 18.65.110)
Police Protection (AS 18.65.010 - AS 18.65.790)
Law enforcement duties (AS 18.65.010 - AS 18.65.086)
Controlled Substances (AS 11.71.010 - AS 11.71.900)
Judicial Services (AS 22.20.100 - AS 22.20.140)
Prisoner Transportation (AS 33.30.071 and AS 33.30.081)
Search & Rescue (AS 18.60.120 - AS 18.60.175)
Village Public Safety Officer Definition (AS 01.10.060(c)(7)(C))
VPSO Program (AS 18.65.670)
VPSO Regulations (13 AAC 96.010-900)

Concealed Handgun Permits (AS 18.65.700)
Security Guard Licensing (AS 18.65.400 - AS 18.65.410)
Sex Offender Registration (AS 12.63.010 - AS 12.63.100)
Central Registry of Sex Offenders (AS 18.65.087)
Department to assist other agencies (AS 18.65.090)
Document and disseminate information regarding homicides (AS 44.41.040)
Document and investigate missing persons (AS 18.65.610)
Investigate fires resulting from crimes (AS 18.70.030)
Investigate sexual assault and child exploitation (AS 18.65.086)
DUI Forfeiture Requirements (AS 28.35.036-.037)
DPS DNA collection and registration requirements (AS 44.41.035)
Duty of Law Enforcement to Provide VCCB information (AS 18.67.175)
Rights of Crime Victims to be notified orally and in writing by Law Enforcement (AS 12.61.010)
Aeronautics (AS 02)
Criminal (AS 11)
Environment (AS 46)
Fish & Game (AS 16)
Fish & Game (5 AAC)
Guide/Outfitting (12 AAC)
Guide/Outfitting (AS 08)
Health & Safety (AS 18)
Limited Entry (20 AAC)
State Government (AS 44)
Training (13 AAC 85)
Training (AS 44.41.020(a))

Contact Information
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**Alaska Bureau of Wildlife Enforcement
Component Financial Summary**

All dollars shown in thousands

	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	8,983.0	10,565.1	11,961.9
72000 Travel	136.0	126.5	136.5
73000 Services	1,609.0	1,664.4	1,865.6
74000 Commodities	216.9	222.2	222.2
75000 Capital Outlay	7.0	9.9	9.9
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	10,951.9	12,588.1	14,196.1
Funding Sources:			
1004 General Fund Receipts	10,068.5	11,335.2	12,113.4
1007 Inter-Agency Receipts	36.2	21.9	228.4
1061 Capital Improvement Project Receipts	367.2	654.2	1,271.0
1134 Fish and Game Criminal Fines and Penalties	480.0	576.8	583.3
Funding Totals	10,951.9	12,588.1	14,196.1

Estimated Revenue Collections

Description	Master Revenue Account	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	36.2	21.9	228.4
Fish and Game Fund	51045	480.0	576.8	583.3
Capital Improvement Project Receipts	51200	367.2	654.2	1,271.0
Restricted Total		883.4	1,252.9	2,082.7
Total Estimated Revenues		883.4	1,252.9	2,082.7

**Summary of Component Budget Changes
From FY2006 Management Plan to FY2007 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2006 Management Plan	11,335.2	0.0	1,252.9	12,588.1
Adjustments which will continue current level of service:				
-Transfer PCN 12-3156 Public Safety Technician from Marine Enforcement	59.9	0.0	6.8	66.7
-Transfer PCN 12-3814 Boat Officer to Marine Enforcement Component	-41.4	0.0	-0.3	-41.7
-Transfer Inter-agency Receipts from ABADE to ABWE	0.0	0.0	206.4	206.4
-FY 07 Wage Increases for Bargaining Units and Non-Covered Employees	252.8	0.0	19.8	272.6
-FY 07 Health Insurance Cost Increases for Bargaining Units and Non-Covered Employees	16.4	0.0	2.8	19.2
-FY 07 Retirement Systems Cost Increase	337.6	0.0	34.2	371.8
Proposed budget increases:				
-State Trooper Supervisory Unit Pay Adjustment	48.5	0.0	0.0	48.5
-Budget Joint Enforcement Agreement (JEA) Positions established in FY2006	0.0	0.0	550.0	550.0
-Risk Management Self-Insurance Funding Increase	104.4	0.0	10.1	114.5
FY2007 Governor	12,113.4	0.0	2,082.7	14,196.1

**Alaska Bureau of Wildlife Enforcement
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2006</u> <u>Management</u> <u>Plan</u>	<u>FY2007</u> <u>Governor</u>		
Full-time	112	113	Annual Salaries	6,908,500
Part-time	18	17	COLA	304,519
Nonpermanent	0	0	Premium Pay	1,103,047
			Annual Benefits	4,276,180
			<i>Less 5.66% Vacancy Factor</i>	(712,846)
			Lump Sum Premium Pay	82,500
Totals	130	130	Total Personal Services	11,961,900

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	0	0	0	4	4
Administrative Clerk III	1	1	1	3	6
Captain, AK State Troopers	1	0	0	0	1
Lieutenant, AK State Troopers	1	1	1	3	6
Public Safety Technician I	0	1	1	15	17
Public Safety Technician II	1	1	1	16	19
Sergeant PS	0	1	1	10	12
State Trooper	3	4	3	55	65
Totals	7	9	8	106	130