

A CENTURY OF WILDLIFE LAW ENFORCEMENT

by Dan Heskett

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The history of Kansas fish and wildlife law enforcement is rich with unique and dedicated individuals who are responsible for the outstanding natural resources we enjoy today.



Questions sometimes arise concerning the value of wildlife law enforcement and its importance compared with other types of law enforcement. For the answer, one must ask: If men and women of the wildlife enforcement field were not present to protect our natural resources, could the resources survive?

History tells a story of massive habitat destruction, wanton hunting, poaching, and pollution of soil, water, and air when humans are given free rein. Without laws and the people who enforce them, greed and indifference would probably destroy the health and beauty of the land.

This article is dedicated to the men and women

of the brotherhood of wildlife law enforcement who have committed themselves to protect our natural resources in Kansas. Without their efforts, the resource would not exist as it does today in a healthy and viable state.

On January 29, 1861, President James Buchanan admitted Kansas into the Union as the 34th State. During May of the same year, Kansas' first legislative body enacted the first law for the protection of certain game in Kansas. It consisted of 38 words, stating that it was unlawful for any person or persons to shoot, kill, or trap within this state any prairie chicken, quail, partridge, wild turkey, and deer between the first days of April and September

of each year. The fine was not to exceed \$5. There were no wardens to enforce this law.

The first Kansas Conservation Act was passed in 1877 as D.B. Long became the first "Fish Commissioner" under Governor George T. Anthony. It was during this year that the first fish laws were established, and an act of 1883 prescribed penalties for killing or taking fish by the use of explosives. However, wardens still did not exist.

In 1886, an act was passed to prohibit the use of nets, seines, and traps at any time for the taking of fish except on one's own land, but game wardens would not enter the scene until the year of 1895.

Under the leadership of O.D. Sadler, the sixth Fish Commissioner for the department, unsalaried deputy wardens were appointed in all Kansas counties containing lakes or streams. They were empowered to make arrests for which they would receive \$5 for each conviction, along with the regular "constable" travel allowance. Wardens covered their territory by horse, buggy, or rail car.

In 1900, George W. Wiley became the first full time State Fish Warden. Under his leadership in 1901, the Kansas legislators appropriated \$2,800 for fish propagation and protection.

The department's legacy of wildlife conservation began 100 years ago in 1905 with the merger of fisheries and wildlife protection. The title of State Fish Warden was changed to State Fish

and Game Warden and this person would serve a four-year term for a salary of \$1,500 a year. It was also in 1905 when hunting licenses were required to hunt on land other than one's own. Bag limits on game birds were established, and protection was extended to the fox squirrel.

It was not until 1921 that the governor authorized the State Fish and Game Warden to appoint six "special state deputy wardens" as employees on a salaried basis. Those appointed were chief of field forces Michael Concannon of Lansing, John E. Martin of Eskridge, Merritt L. Beeson of Dodge City, Robert C. Carr of Topeka, J.F. Worley of Downs, and George T. Boone of Chetopa. U.G. Reed of Wichita was also appointed as a stream investigator.

In 1923, the Fish and Game Department purchased an 18-foot keel boat and motor, enabling wardens to patrol streams for the enforcement of commercial fishing laws. These wardens were to seize and

destroy illegal nets and traps. They also enforced the closed portion of streams where commercial fishing was conducted illegally. Wardens received little pay, spent long periods away from families due to the size of the territories, and public sentiment and attitudes of the courts were often against them.

In 1923 and 1924, State Fish and Game Warden J.B. Doze and his state deputy wardens held approximately 50 meetings in Kansas. These succeeded in organizing 30 county fish and game associations.

It was during this time that deputy wardens collected \$10 fines for violations and remitted them to the Fish and Game office where the money was entered into the Fish and Game Fee Fund. This fund was used in part to obtain the first patrol vehicles, consisting of four Ford Coupes and one Hudson Coach. An extra motor for these vehicles was kept at the Pratt Fish Hatchery for transfer to an automobile when needed. The



The first paid officers, called special deputy wardens, were hired in 1921. The photo on Page 15 shows the department's entire officer crew in 1928. By the 1960s, when the photo above was taken, there were approximately 45 officers.

mechanical work was done by the wardens themselves and was a part of the hiring requirements.

Tragedy struck on January 1925 when a part-time salaried deputy warden was shot and killed near Wilburton. He was receiving \$6 a day at the time of his death. His name was F.W. Tierney. That same year nonresidents were first required to obtain a fishing license.

In 1927, the Kansas Forestry, Fish, and Game Commission was organized and gained full control over the Department. The newly-formed Commission had a salaried staff of 10 state deputy game wardens and 375 unsalaried county deputy game wardens. Salaried wardens were paid \$100 to \$150 per month, depending on their experience and ability. Ten Kansas districts were established, with a salaried warden assigned to each district. At this time, it was recognized that wardens needed to acquire certain knowledge and skills



As reservoirs were built throughout the 1950s and 1960s, the officers' jobs changed. The officer above checks licenses at Lovewell Reservoir.



This photo from the 1960s shows the entire Law Enforcement Division. Throughout the history of the division, officers have done more than enforce laws, helping with wildlife and fishery work, and leading the way in the Hunter Education Program.

concerning the natural resources they were to protect. A legislative act of 1927 authorized the first requirement of resident fishing licenses for males only, between the ages of 18 and 70.

During the bleak period of the 1929 stock market crash and the dust bowl era of the 1930s, Alva Clapp served in his second term as the Forestry, Fish, and Game Warden. Gross receipts from the sale of hunting and fishing licenses boosted the biennium income to \$536,202, enabling the enlargement of the Pratt Fish Hatchery, establishment of small hatcheries at Meade and Marion, and the development of six state parks and fishing lakes. The department employed 43 employees at this time.

A turning point for conservation occurred on September 2, 1937, when the Federal Aid in Wildlife Restoration Act was passed by the federal government. Funding of this act was provided by a 10 percent excise tax on sporting arms and

ammunition to be appropriated to the states for wildlife conservation programs.

In a department article dated September 1939, it was recorded that 93 of Kansas' 105 counties had local sportsmen organizations formed and functioning. Nearly 3,000 game protectors were appointed on the recommendation of the license holders. Director Josserand advised the Commission in September of 1939 that reports by game protectors and other competent observers indicated heavy pheasant populations in the northwest portion of Kansas. The Commission set the first Kansas pheasant season for November 1-3 in the northwestern counties with a daily bag limit of 2 cocks and 1 hen. The Commission also went on record favoring the revocation of all licenses held by anyone convicted of violating the state fish and game laws.

In 1944, Dave Leahy became the Director of the Kansas Forestry, Fish, and Game Department. Leahy served in this capacity until 1960. During

this era, some young men who had served in combat tours during World War II were hired under Leahy as state game protectors.

These men worked relentless hours in the field, and when the job was done, they played equally hard. Director Leahy and his men slowly built a substantial surplus of fish and game funds through public support and strict enforcement of user-fee license requirements. Leahy, who was a controversial figure in his own right, relegated little authority to anyone as he dealt with his men on a one-to-one basis. He received immense loyalty from his field men, which continued long after his dismissal from the department in 1961.

A unique operation took place between the years of 1946 and 1948, which involved game protectors working with local landowners to eradicate flocks of crows numbering in the millions. It was feared that these large crow populations would spread hog cholera and other diseases to livestock populations. Game protectors working with local individuals, would locate large crow roosts and strategically place explosives consisting of TNT and shot. The charges were set off at night, killing crows by the thousands.

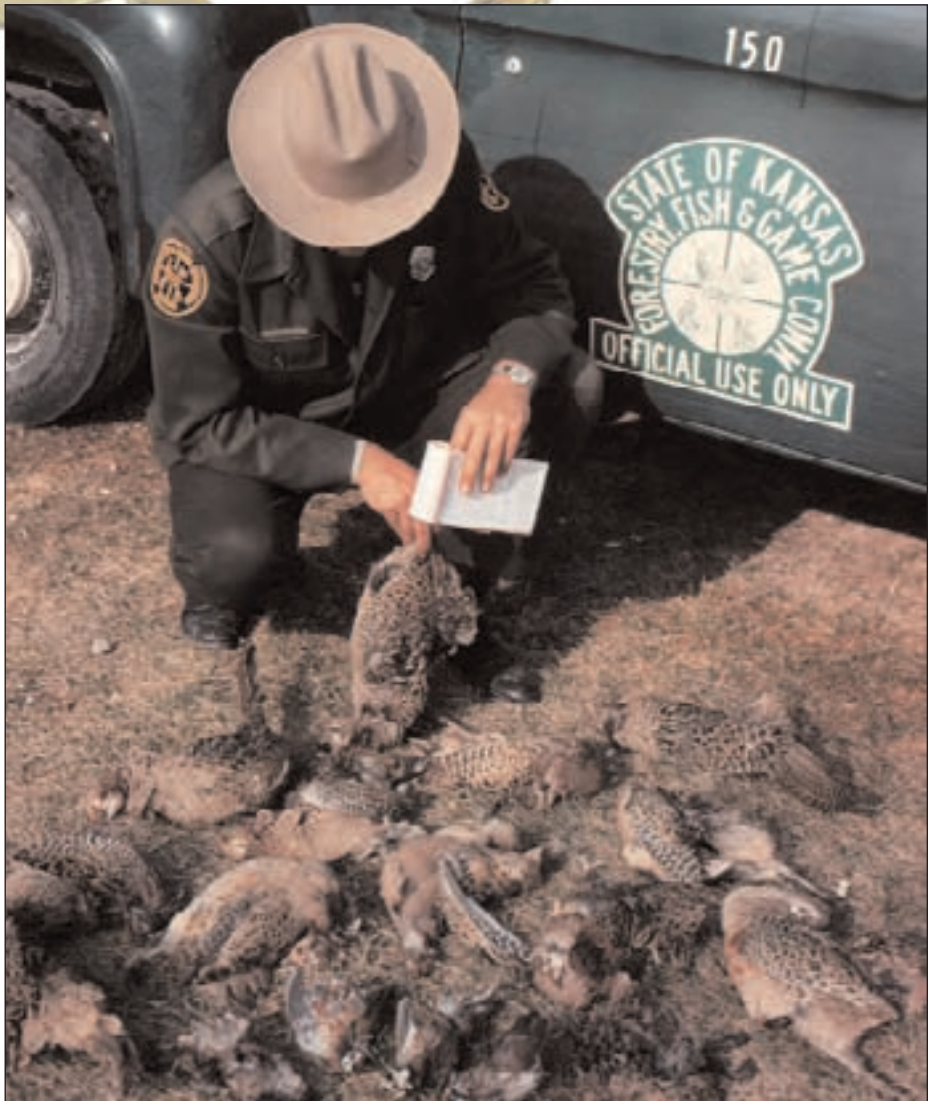
During 1949, the law enforcement division consisted of 34 district game protectors. Field supervisors did not exist during Leahy's administration as he often stated, "If a man needs a supervisor, he's no damned good in the first place."

Several state fishing lakes were constructed during the 1940s along with numerous farm

ponds. Federal reservoirs such as Kanopolis and Fall River brought a new challenge to the role of the wildlife law enforcement professional.

In 1958, the United States Coast Guard enacted the Federal Boating Safety Act, and the Kansas Forestry, Fish, and Game Commission was authorized by the Kansas Legislature as the regulating authority. This has since meant additional duties to law enforcement officers, particularly on the 24 federal reservoirs within the state.

Wildlife law enforcement officers of the department played a vital role in stocking fish and wildlife throughout the state. In 1961, under the direction of George Moore, Kansas began one of the most comprehensive census programs ever endeavored. Biologists with advanced technical knowledge were hired and placed under the supervision of Dave Coleman in the Game Division, and Roy Schoonover in the Fisheries Division. The game protector became an active part of the



Wildlife officers are often asked to investigate crimes long after they have been committed, using any available evidence at the scene. Officers today utilize many modern forensic tools and techniques.

census program, providing monthly data on various species to be tabulated and compiled for a more practical utilization by Kansas sportsmen.

A yearly school was established to acquaint all personnel with not only the wildlife management principles of Kansas, but those of surrounding states, as well. Experts on deer, turkeys, quail, and pheasants were invited to discuss their challenges, solutions, and views.

Changes in societal views and the foundation of equal opportunity also have their place in history. Jim Hale, the first and only African American officer for the department, was hired on October 5, 1970 and worked in the northeast part of the state until 1991. The first female officer, Val Jansen, was promoted to a Game Protector 1 on October 18, 1977 after serving as the secretary for the Law Enforcement Division. She is currently the Law Enforcement regional supervisor in Wichita.

Technology allowed the formation of Operation Game Thief, a phone line dedicated to natural resource violations reporting. This program is still active today and can be reached by calling toll-free (877) 426-3843.

In 1987, Governor Mike Hayden merged the Kansas Fish and Game Commission with the Kansas State Park and Resource Authority, to form the Kansas Department of Wildlife and Parks. This merger has resulted in 166 certified law enforcement natural resource officers currently employed by the Department. These officers operate in the Law Enforcement and Parks divisions. Public land



Four KDWP officers and their dogs completed training in 2002. The dogs are trained to detect hidden game meat, hidden firearms or spent hulls, and track suspects.

managers also carry law enforcement certification.

Several new programs have been created under current Law Enforcement Division director, Kevin Jones. One of these includes the introduction of a canine program. Four officers, along with their canine partners, Rex, Scout, Allie, and Chase, graduated from an eight-week training course in Indiana in 2002. While this program is still in its infancy, it has been a huge success. The trained dogs have been used to find hidden game, evidence, and to track potential suspects.

While the main duties of the natural resource officer involve enforcing Kansas' hunting, fishing, boating, and park laws, these law officials often encounter other criminal activity. Under these circumstances, officers will assist other law enforcement agencies.

Whatever the Kansas wildlife enforcement officer has been called — deputy warden, game warden, game protector, or

wildlife conservation officer — it is clear that without the past 100 years of diligence by these dedicated individuals, Kansas resources would not exist today. The men and women who have served deserve thanks for a job that seems at times to go unnoticed and offers little reward.

~~To those of you who have served in the past, I dedicate this article to you. Thank you for a job well done.~~

I dedicate this article to those officers of Kansas who served before, during, and after I'm gone. THANK YOU FOR A JOB WELL DONE. 🐾

Note: The author of this article, Dan Heskett, is Kansas' first second-generation member of wildlife conservation law enforcement. His dad, Merl Heskett of Jewell County, served as an officer from 1961 to 1996.