

## Politics versus California's Wildlife

By Mary Carpenter, Staff Writer  
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"How many people in California know that commercial poaching of wildlife and resources was second only to the drug trade?" asked Nancy Foley, chief of the California Department of Fish and Game's Law Enforcement Division.

"Reptiles, plants, fish, abalone, bears, deer, mountain lions; people are always trying to take a specific kind of animal or plant for profit. It always amazes me what people will pay to own or eat these animals, and I'm in this profession," she said.

"Wardens are in this profession because they believe in the department's mission and the resources," Foley continued. "Currently, we cannot be as responsive to the public and the resources as we would like to be, but it isn't because the wardens we have aren't working.

"It's because there are 37.4 million people, diversity in the ecosystems, huge land and sea responsibilities, and 200 game wardens to meet the needs of the people and the resource."

### Contract renegotiated

Recently, the California Department of Personnel Administration has renegotiated the game wardens' contract with their parent union, CAUSE.

Originally, the renegotiation of the contract for all CAUSE members was not due until the 2007-2008 budget process.

"As a result of an intervention for the game wardens on behalf of the state Legislature, and because the shortage of game wardens was too severe to wait a year for the next budget process, it allowed us to reopen the contract to meet the Legislature's intention," said DPA Communications Director Lynelle Jolley.

"We (DPA) got them a 10 percent raise immediately and 5 percent more a year at the top steps of the pay schedule."

"Retiring wardens may also be inclined to stick around another year or two with the raises at the top steps," said Jolley.

Captain Dennis DeAnda, president of California Fish and Game Warden Supervisors and Managers Association, disagrees. "Veteran wardens more than likely won't see the benefit of sticking around another five years without parity when they can go onto another job that pays better."

When asked how the pay raise affected the overall staffing of the department, game warden Bob Orange, president of the Game Wardens Association, said, "The increase, which brings the starting pay for wardens to \$42,800, does not match most, if any, other law enforcement wage schedules in the state of California.

"Even with this pay raise, our applications for game wardens have actually dropped to historically low candidate numbers. Both houses of the Legislature and the governor approved \$30 million to address recruitment and retention problems; however, DFG only received \$2 million after closed-door negotiations with DPA and our parent union, CAUSE," said Orange.

"As far as the CFGWA is concerned, the new contract did not meet the legislators' intent to bring game wardens into parity with other law enforcement agencies, which is the main cause of our inability to recruit and retain wardens."

Santa Clara County Sheriff's Department, like DFG, requires at least 60 semester units of college, but pays a starting wage of more than \$65,000 a year.

Other departments, like the California Highway Patrol, begin at approximately \$57,000, and San Francisco Police Department starts at more than \$64,000. The two agencies do not require college degrees or units.

Other law enforcement agencies award candidates with wage increases for having degrees.

When asked why the wardens don't enjoy parity with counterparts, Jolley said, "Parity is an issue that has been on for some time with the game wardens. We bargain for the employees with the same intent. If it can be justified legally, it would be."

According to the DPA, salaries that are too low are reflected by "small candidate pools ... (and) low quality candidates ... As incumbents leave for better paying jobs, staff retention problems may arise ... (and) employees will feel that their services are not valued and will seek salary enhancement" and consequently "excessive resources will be spent to address" the issues.

Orange said, "Ms. Jolley states that wardens must make a comparison and justify we are law enforcement. Besides the fact that wardens have been arresting armed criminals for well over 100 years and are the oldest state law-enforcement officers, here are the latest statistics.

"From January to October 2006, fewer than 200 field game wardens in California made 315,000 contacts, issued 55,000 warnings and made over 14,000 arrests. In virtually every one of those arrests, the person was armed," said Orange.

Karnow agrees, "There is a complete misconception of what wardens do. The public believes we're not cops at all. Game wardens enforce state laws that have stiff penalties, they take people to jail for violating those laws, and the suspects are generally armed, most likely with a firearm. They make arrests without backup at all, and they work closely with prosecuting district attorneys throughout the entire criminal justice process."

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### Legislative intent

"In the Senate and Assembly, the Democrats and Republicans addressed the problem of the wardens in the form of the budget to get DFG enough additional money to increase salary and benefits and to recruit and retain," said Karnow.

*Here is DPA Spokesperson Acknowledging that it was the Fish & Game Warden's work in the Legislature that brought about the mid-contract pay increase, not CAUSE / CSLEA!*

A letter from the California Legislature signed by Senators Dennis Hollingsworth, Wes Chesbro and Denise Moreno Ducheny and addressed to Director of Personnel Administration David Gilb asked that a "minimum of \$10 million of these funds ultimately be dedicated for the purpose of compensating fish and game wardens in a manner that reflects their status as highly trained law enforcement officers, and provides for adequate retention of the existing personnel."

"The Department of Personnel negotiated with our union, but the majority of the money went to our union affiliates," said Karnow.

In May 2006, Assemblyman Dave Cogdill, now a state senator, wrote the Budget Conference Committee prior to the last budget process. Cogdill requested that the committee "retain \$17.5 million in budget funding for Department of Fish and Game" which would bring "wardens up to par with their local and state counterparts and provide funding to help fill current vacancies."

Sixty-eight Democratic and Republican representatives signed Cogdill's letter.

"The California Legislature put the money in the budget for game wardens," said DeAnda, "but the parity issue wasn't taken care of, and the money was spread out over the entire membership of CAUSE, which was not the intention of the legislature. The intent was to fix the parity issue."

The chairwoman of the Senate Committee on Natural Resources and Water, Sheila Kuehl, wrote David Gilb, DPA director, in July 2006 to request an allocation of \$10 million "of the employee retention and compensation funds ... for the exclusive purpose of compensating fish and game wardens ... in a manner that reflects their status as highly trained law enforcement officers who focus their efforts on illegal activities that adversely affect the state's wildlife and natural resources."

Senator Kuehl also requested that development reports for the budget "address more general recruitment and retention issues ... (and) that one such study focus on the chronic insufficient funding, understaffing and inadequate compensation that have decimated the ranks of DFG wardens."

"To my knowledge, to date that study has never been conducted, and it is a requirement for the budget," said Orange.

### What's at stake

One of the most important resources is drinking water, which is increasingly at risk from pollution and environmental hazards.

"People take for granted that tap water is always safe," said Karnow. "What we are finding is that people don't understand that we investigate water pollution. That's our job."

Karnow believes it is a case of "not if, but when drinking water becomes unsafe because there is not enough protection of waterways ... especially if you don't have state resources to investigate hazardous materials and pollutants in drinking water."

Karnow feels that given the state's continued growth, California won't be able to keep up with the need for potable drinking water unless the resource is managed properly.

"Unless you had enough game wardens to educate the public, legislature and the court systems about the integrity and protection of drinking water resources, we are going to be unable to keep up with the progression," said Karnow.

"Fish and Game investigates any activity that compromises the public's trust in our drinking water," he noted. "That's pretty big."

### Wildlife CSI



DFG has a full range of law enforcement duties besides protecting California's natural resources.

Because wildlife species do not have voices and because the environment+ testify as to who dumped h- water source, the de- wildlife biolo-

also in crime control protocols. the WFL must meet on their specific duties, are Scier the American Society of Crime Laboratories and the American Association of Clinical Pathologists as well as the California Association of Criminalists.

Other organizations participate in the quality control and quality assurance of the lab, and they and the lab are expected to fulfill many requirements that determine credibility.

### Fighting the fight

"No additional laws, refuges, resource protection measures, habitat enhancement or restrictions will enhance our natural resources, fish and wildlife without additional game wardens to protect them by enforcement," said Orange.

Jake Bushey said, "If they (DPA) are saying that the problem has been solved, it has not been. And it will only get worse in the next couple years."

"What we are looking at is a train wreck," emphasized Bushey. He points to the lag time between one warden retiring and a replacement being recruited, tested, hired and trained. "It can't wait two years," he said.

The need for qualified applicants and warden candidates is critical at this time because of the many wardens who will be retiring in the next two to three years.

"We need people with skills that can get into the complex investigations concerning pollutants, habitat destruction, wildlife, extremely complex crimes," said Karnow. "You can't just throw somebody out there."

With many wardens approaching retirement, it will be difficult to fill the positions unless parity is reached soon.

"Fifty-four percent of the game wardens will be retiring within the next 10 years," said DeAnda. "Twenty-four percent can retire now if they want to, and 173 of the approximately 200 game wardens are over 40."

"If this (parity) doesn't get fixed I think there will be a mass exodus of game wardens. Young wardens that don't have much time on the job that are marketable will work for another law enforcement agency that pays better."

"The problem is that California is such an expensive place to live now that wardens can't afford to stay at such low wages," said DeAnda. "In the past, believing in what you did got you through. But when the median home price is over \$400,000 making 42,800 isn't cutting it."

DeAnda also said, "To most people, dumping a can of gas in the ground or creek is trivial, and to many, over-hunting wildlife is trivial. People live for today and don't think about the future of the resources. That's the reason why we exist. This is a truly honorable profession; we enforce laws that in many places people don't think of."

*The Statement that CAUSE / CSLEA falsely attributes to rank-and-file members of the Fish & Game Warden's Association was, in fact, made by a Supervisor, Non-Union, Exempt Employee who was in charge of doing candidate pre-screening.*