EXHIBIT 1
DATE 3/21/07
SB 224

Senate Bill 224
March 21, 2007
Presented by Jim Kropp
House Judiciary Committee

Madam Chair and committee members, for the record I am Jim Kropp, Chief of Law Enforcement of Montana Fish, Wildlife & Parks (FWP). The SB224 gives FWP law enforcement officers the ability to enforce laws related to minors in possession of intoxicating substances (MIP), misdemeanor possession of dangerous drugs, disorderly conduct and public nuisance on lands owned or operated by FWP and on public waters of the State of Montana.

Presently, if an FWP officer encounters an MIP or a person using dangerous drugs, the officer must detain the individual until other local law enforcement arrives. In some remote locations, this can result in having to detain the individual for several hours before the enforcement agency with jurisdiction can arrive to take the necessary action, a huge investment of time for all parties involved. This also presents a situation where both officers are now responsible for case reports and must testify in court for the citation that was written by the responding officer – a person who did not directly observe the violation. Allowing FWP enforcement officers to handle MIPs and misdemeanor drug users can save already overtaxed law enforcement agencies time and resources and allow them to enforce and investigate other crimes.

There have been numerous occasions where FWP officers have encountered underage drinking, alcohol possession or misdemeanor drug use/possession at state recreation sites and on adjacent public lands during regular warden patrols checking fishing licenses or on a parks patrol. The problem is endemic across the state from Tongue River State Park in Rosebud County, Spring Meadow State Park in Helena, sites along the Blackfoot River outside Missoula, and at State Parks on Flathead Lake to mention a few.

This law would give FWP enforcement staff the authority to handle this violation while also improving the credibility of site managers to handle their own problems in a timely way. Montana Game wardens are peace officers and receive the same law enforcement academy certification (POST) as all other peace officers in Montana.

FWP has also seen an increase in vandalism at many of our state parks and fishing access sites that has cost tens of thousands of dollars in repairs and clean up. The vandalism that occurs is often associated with other illegal activity-taking place at the site. Excessive use of alcohol or illegal drugs also leads to disorderly conduct or public nuisance situations that are attributable to vandalism.

The first priority for FWP is the safety of visitors on FWP property and having this statutory authority will allow FWP officers to deal with the violations in a timely manner before the incident escalates. SB 224 will give FWP enforcement the tools to handle problems onsite quickly, efficiently and legally.

I urge your support for SB 224.