

Cooperative Management Agreement
Between the Parks Division and Fish & Wildlife Division
For Public Safety & Law Enforcement Services in Montana State Parks

This cooperative Management Agreement entered into this 26th day of June, 2012
Between the Parks Division, herein called Parks, and the Fish and Wildlife Division (Enforcement
Bureau) herein called F & W, both divisions of Montana Fish, Wildlife & Parks (FWP).

1. WHEREAS, the Parks Division has management responsibility for public safety and law enforcement service and response throughout the state park system.
2. WHEREAS, the Parks Division has a limited number of commissioned peace officers (Park Wardens) assigned to state parks.
3. WHEREAS, the Fish & Wildlife Division (Enforcement Bureau) has a cadre of well-trained, commissioned peace officers (Game Wardens) throughout the state.
4. WHEREAS, the Fish and Wildlife Division receives its funding from the proceeds of hunting and fishing license dollars and those funds may, by law, may not be diverted for use beyond specifically designated fish and wildlife protection activities.
5. WHEREAS, the Parks Division allocates a designated amount of funding on an annual basis to support public safety and law enforcement service and response in state parks.
6. WHEREAS, the health, welfare and safety of state park visitors and employees and the protection of property and resources will be enhanced by this agreement.

Agreement

In consideration of mutual promises, terms and provisions of this Cooperative Management Agreement and foregoing recitals, the parties agree to the terms and provisions set forth below:

1. Purpose: The purpose of this cooperative management agreement is to establish responsibilities between the parties for the staffing and funding of law enforcement services in the state park system.
2. Term: This cooperative management agreement is valid from date of signing through June 30, 2013, unless otherwise terminated or renewed as provided herein.

3. Termination: This agreement may be terminated by notice in writing to the opposite party at least 90 days prior to the effective date of termination. Mutual consent to the annual parks operating plan will be required prior to annual work planning as a condition of agreement.

I. The Parks Division Shall:

A. Funding

- i. Identify law enforcement service and response needs (measured in hours) by specific state park.
- ii. Identify field training program needs for new state park wardens (measured in hours).
- iii. Allocate an appropriate level of funding to the Fish & Wildlife Division (Enforcement Bureau) based on annual personal services and operational costs commensurate with requested services.

B. Management

- i. The Operations Bureau Chief will serve as the liaison with the Fish & Wildlife Division (Enforcement Bureau) in the management and execution of this agreement.
- ii. Regional Park Managers in cooperation with the Regional Warden Captains shall monitor the utilization of allocated hours and provide direction and feedback on needs, priorities, location and timing of services.
- iii. Regional Parks Managers shall annually provide a list of current Parks Ex-Officio officers who are actively operating in their region. It is the responsibility of the Regional Parks Manager to ensure that Ex-Officios receive annual law enforcement training and documentation of that training is sent to the Law Enforcement Bureau Offices.
- iv. Any and all Parks staff operating in the capacity of law enforcement officers (ex-officios, Parks Wardens) shall, no later than the 15th of each month, submit to the Law Enforcement Bureau Monthly activity Reports in the standard law enforcement formats provided by the Law Enforcement Bureau.

II. The Fish And Wildlife Division Shall:

A. Management

- i. Program and allocate Parks Division funded service hours (FTE) to designated Game Warden personnel to meet Parks Division service needs in specified state parks.

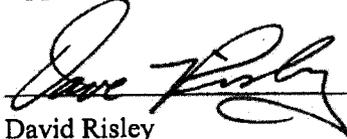
- ii. The Division Administrator, or their designee, will serve as the liaison with the Parks Division in the management and execution of this agreement.
- iii. Regional Supervisors will oversee and Regional Warden Captains, in cooperation with Regional Park Managers, will supervise Regional Game Warden personnel for the execution of this agreement.
- iv. Ensure that Game Wardens provide allocated service hours as specified by the Parks Division in specific state parks and that approximately 75% of the service hours are provided during the peak state park use season between Memorial Day weekend and Labor Day.
- v. Regional Supervisors (or their designee) will provide Park Managers the following information and documentation in a timely manner:
 - Notification of all arrests, major crimes, and other critical incidents or emergency responses within 24 hours of the incident occurrence.
 - Incident reports and copies of NTA's and Written Warnings in accordance with the Parks Division Incident Reporting Policy and standard criminal justice procedures and laws.
 - Monthly summaries of law enforcement patrol and response hours and enforcement actions in individual state parks.
 - Ensure that information regarding any law enforcement advisory (such as BOLO's and/or intelligence advisories) may affect the safety and welfare of park visitors or employees is relayed to appropriate regional Parks staff in an appropriate and timely manner .

III. It is mutually agreed that the parties shall:

- i. Jointly develop annual state park operating plans to define state parks law enforcement service and response needs, priorities and timelines. These plans will be accomplished through the existing annual Warden District Planning Process.
- ii. Regional Supervisors (or their designee) and Regional Park Managers will jointly work together to address issues involving over-expenditure of allocated hours, unforeseen enforcement needs, under-allocated law enforcement hours in specified parks, redirecting allocated hours from one state park to another, and other shortfalls or issues associated with this allocation.

- iii. Allocation and/or state park law enforcement service issues that cannot be resolved at the Regional level will be addressed at the Division Administrator level.

IV. Approval Signatures:



David Risley

Fish and Wildlife Division Administrator

6/26/12

Date

 acting for 6/26/12

Chas Van Genderen

Parks Division Administrator

Date