

Night Hunting Patrols FOR SPOT LIGHTERS IN THE Duck Mountain District OF Saskatchewan

Written by Saskatchewan Conservation Officer Shawn Riabko

North American game wardens call it many different things - spotlighting, jack lighting, lamping, pit lamping, shining. In Saskatchewan, the regulations call it “hunting with a search light” and it continues to be a problem for many areas of the province, including the conservation officers of Duck Mountain.

NIGHT HUNTING has been illegal for well over a hundred years in Saskatchewan. Throughout this time, penalties have always reflected that this is a serious, dangerous offence. In 1948/49 the penalty for night shooting or jacklighting was increased to \$200 minimum with a \$500 maximum penalty. That was a pretty steep penalty for the late 1940's. A few years later in 1953/54, legislation made it mandatory that all persons found guilty of night hunting or jacklighting serve a jail sentence. The next year, in 1954/55, 14 night hunters were apprehended in the province and in addition to paying heavy fines, their jail sentences ranged from 7 to 20 days.

Fast forward to the current day. Spotlighting is still a problem Saskatchewan's conservation officers deal with every year. In the Duck Mountain district alone, we have charged seven different people for spotlighting in the last two years (2014, 2015) and as I write this late 2016, we have more this year in 2016 to add to the statistics. The scary part is, those are just the ones we caught.

So with the possibility of steep fines, and an obvious danger to the general public, why do people spotlight? What is the attraction to this activity that makes people take the risks and shoot animals with the use of lights?

Different people have different motivations for why they would go out and spotlight, but none of those should justify the risk and danger they create to the general public. The obvious reasons are that animals are more active at night and when you shine a bright light on an animal in the dark, they typically “freeze” in blindness allowing the hunter to shoot the animal before it runs off. Active wildlife combined with the unsporting “freezing” of an animal in the light makes for an easy and incredibly unsporting kill.

In some communities, great bragging rights go along with the harvest of wildlife. Harvesting a moose for example, can increase a person's image or status and the desire to achieve that makes people put their own desires over that of the safety of the general public. For some, they feel the government's laws don't apply to them or they want to spite the government, so they go

out poaching but this reason is rare. More commonly, hunters get involved in the “big buck” and trophy competitions and that desire of winning or at least having a respectable entry is enough to risk the penalties of spotlighting. Again, it is a status symbol among their organization or local group of friends.

Finally, for a select few, financial gain may be the motivator. Trafficking large antlers is big business on the black market and if you want your poaching to go undetected, it only seems logical that you would do it at night where there are much fewer people to detect what you are up to and reduces the chance of alerting anyone to your actions.

That’s one of the reasons a lot of night hunting and spotlighting activity remains undetected. In the wee hours of the morning, there aren’t a lot of people awake to detect the activity, especially when the poachers are in remote areas. If they are driving the countryside and don’t know where they are and accidentally light up a yard or a field in view of someone’s residence, that person may call the violation into the TIP line, but in remote fields however, with no residences around, unless it is during busy agriculture seasons such as harvest, there is usually no one around to realize what is going on.

Even when an animal is shot and the loud sound of gunfire rings out into the night, by the time someone realizes what happened, calls it in and conservation officer responds, many times these poachers are long gone. They are well practiced

in getting in and out of there quickly, sometimes only taking the time to cut off and load the hind quarters or the antlers, leaving the rest of the animal to waste and rot.

Waste of game is very common in my area. When local residents wake up the next day and see ravens and coyotes out in their field and they go investigate and find a wasted animal, they are usually disgusted. Why do people shoot and leave the wildlife to waste? Occasionally, it may be because the poachers just like the thrill



of the kill and aren’t out there hunting to harvest antlers or meat, but instead are there solely for the adrenaline rush of killing. This is a reality and it happens, however, I believe more commonly the shooters intend to take the whole animal, but change their mind...or have it changed for them by circumstance.

Talking to suspects who have been caught committing this offence, you hear a variety of reasons why. Some shoot first before thinking. They are out looking for a deer and when they see a moose, they are so excited that they have an opportunity to harvest a moose, they shoot it, only to later realize that they can’t load such a large animal themselves. Maybe they chop off the hind quarters and go, maybe they go home to try and find a truck, or find friends willing to help them load it, but are unsuccessful.

Other times, they intend to take everything, but see headlights coming and abandon the whole animal to avoid getting caught poaching. Losing the meat



of an animal is a much smaller loss than facing the penalties of being caught unlawfully hunting or spotlighting. The headlights approaching may be the conservation officers, may be a local farmer who heard the shot, or may be someone driving home that has no incline of what is going on....but the poachers vacate regardless, as they can't risk it.

So what exactly is at risk? Well, there is no longer mandatory jail time like there was 60 years ago, however, penalties remain steep. The penalty for hunting with a searchlight in Saskatchewan is up to the judge, as there is a mandatory court appearance for anyone caught spotlighting. The legislation allows the judge to hand down a sentence anywhere from \$1000 to \$100,000. In addition to monetary fine, all articles seized in the investigation, except vehicles, are all automatically forfeited upon conviction, which means the hunters don't get their guns and spotlights back. This can also be pretty significant, considering that it isn't uncommon for a nice gun and scope to be worth over the \$1000 mark. Vehicles can also be forfeited if the presiding judge orders it, but that is not automatic. Lastly, the poacher receives a three year hunting licence ban and of course, doesn't get to keep the animal they shot, if they did indeed kill something.

Commonly, spotlighters are also

We are dealing with those who make a conscious decision to go out and hunt dangerously for their own personal gain

hunting out of season or on private land they don't have permission to hunt on. Unlawfully hunting will land you an additional ticket with a \$1400 fine, \$2800 if you kill something like a moose, elk, or trophy deer and wasting that big game animal will add another ticket to the list, this time with a \$1960 price to it. It is common to be out six or seven thousand dollars in fines and loss of hunting equipment when all is said and done. It is baffling why people would

risk such high penalties spotlighting but makes perfect sense why they would consider leaving an animal to waste in a field, for fear of being caught.

However, these penalties have to be high to try and deter people from this dangerous activity. It is not only the fact this type of activity is very unsporting and provides the hunter a significantly unfair advantage over the wildlife, spotlighting is truly unsafe. This fact really hit home for me last fall in October of 2015. Just before midnight, my partner and I were conducting a night hunting patrol. We saw headlights coming down a gravel road and decided to park in a field to sit back and observe what the vehicle was up to. As it turns out, the occupants of the vehicle were indeed night hunting with spotlights. They shone the field next to us and then shone their light right at our patrol vehicle in the field we were sitting in.

We conducted a vehicle stop, seized the

firearm and spotlight, and laid multiple charges. It wasn't until we returned to the spot in the day time that we realized there was an occupied farm yard in the first field the poacher was spotlighting in. His beam of light lit up the field and the edge of a bush halfway into the quarter section.

However, just beyond that, inside that bush, was an occupied house. That night, the owner and his family of three were home sleeping. They have no yard light and if the poacher did indeed see an animal in that field and fired a bullet in his beam of light towards the house, the result could have been very serious. Neither us, nor the offender, realized the house was there. That situation for me really emphasized the dangerous nature of spotlighting. You really can't see beyond the beam of your light and the basic rule of firearm safety "be sure of your target and beyond" isn't possible to follow.

The night hunting we see isn't people sitting stationary in a treestand spotlighting over bait, instead it is always from vehicles driving up and down the rural roads, shining field after field, looking for animals. Sometimes the hunters know where they are, sometimes they lose track. Sometimes they realize there is a house, barn, bin or tractor in the field, sometimes they don't. Also, it seems they never have permission to hunt on the land they are hunting on, as they are just driving around road hunting field after field.

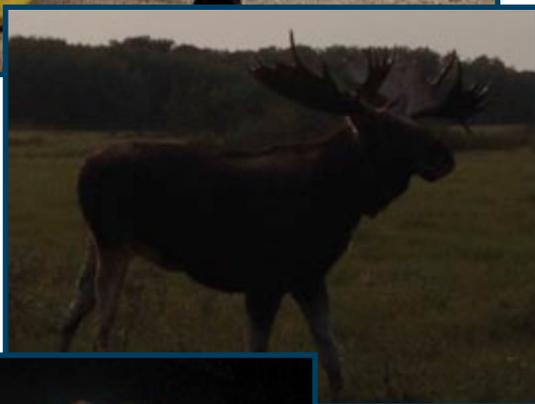
Being mobile all the time makes spotlighters very hard to catch, so officers employ a variety of tools and techniques to give them the best advantage possible



of detecting and apprehending spotlighters. More often than not, from the time an officer sees a spotlight working in a field, to the time of the vehicle stop being completed is only a few minutes, however there is frequently a great amount of time spent planning the patrol to realize those ten minutes or so of action during the takedown.

USE OF DECOYS

Most people know that officers occasionally set up decoys of moose, elk and deer to apprehend poachers. What people may not know is the amount of planning and preparation that goes into setting up a decoy.



A disadvantage of this type of method is that officers will only catch those who drive down that particular road on that particular night and shoot at the decoy. If night hunters in the area

cruise through the area and drive by a mile over on the next gravel road and don't see the decoy, all that work is for naught.

AIRCRAFT

Using an airplane is another tool officers use to detect spotlighters. Unlike the decoy operation, a plane will see hunters using lights for miles and miles in each direction over the huge circuit they fly. It is probably the best tool possible to detect jacklighters, however, it is very expensive. Our budgets don't allow many flights in a year, so again, officers hope they pick the right night and the plane is in the right place at the right time to observe spotlights working a field. This type of operation also takes lots of staffing to implement. Twenty or more officers are frequently used on an aircraft patrol. The plane has the pilot and officers trained to be observers for spotlighting patrols. On the ground, officers strategically spread out their patrol trucks along the flight path. When the plane observes lamping activity, they contact the nearest enforcement units to move in and conduct a vehicle stop. The use of aircraft is undoubtedly the most effective way to observe and apprehend poachers night hunting with lights and again, it requires a lot of planning. The flight path is chosen based on files and previous illegal hunting activity and each officer vehicle participating is assigned a strategic spot on the map. These spots ensure officers will have a good response time to all areas of the flight path and are in a good location to observe hunting activity on their own where they are.

"FLOODING" AN AREA

Getting many patrol units together in an area is also effective without an aircraft. Having officers located all

around a problem area greatly increases the chances of some officer “being at the right place at the right time” to observe people hunting with searchlights. The patrol units are assigned a specific spot or area and are either stationary or mobile. When one unit observes a light working in a field, they contact adjacent units to come and assist in the apprehension of the perpetrators.

SINGLE UNIT PATROLS

All this talk about planes, decoys, and multi-vehicle patrols is fine and dandy and is great when it happens, but more often than not spotlighting patrols are done by two district officers in a single vehicle. The officers patrol their district’s hot spots and hope to observe some illegal action. Officers greatly rely on help from the public to know which areas are currently being hunted at night. T.I.P. calls are very important as officers want to put themselves in the best position to have an encounter with a violator. When members of the public call in the illegal activity they see, officers observe trends and patterns and they can concentrate in the problem areas.

Some people believe that calling in the mobile spotlighters they see has no value because by the time officers arrive on scene, the suspects will be long gone. This may be true in most cases, but if the hunters happen to shoot an animal, they may stay in the area for a good amount of time, gutting and loading an animal. Also, these T.I.P. calls are extremely important and helpful because, if nothing else, they show officers which areas are currently being hunted at night and officers can concentrate their patrols in that specific area the next day, or the weekend. Also, these types of observations by the public serve as grounds to conduct decoy operations, when officers discover multiple serious violations are occurring in a specific area.

Sometimes there is some confusion as to what is and isn’t legal, especially when it involves night hunting and hunters with a Treaty right to hunt and hunting at night. A hunter who holds no Treaty hunting rights cannot hunt from one half hour after sunset to one half hour before sunrise. They cannot hunt



at night and of course, cannot use any type of spotlight, search light or night vision device for hunting.

A Treaty hunter hunting off-reserve can hunt at night, but again, they cannot use any type of spotlight, search light or night vision device for hunting in Saskatchewan. Also, Treaty hunters are limited to hunting crown land and cannot hunt a farmer’s field without first obtaining permission from the landowner to do so.

TOOLS OF THE TRADE

The biggest challenge for officers is catching the violators in the act. The officer must encounter a vehicle hunting and observe them using a spotlight, as simply the possession of a spotlight isn’t unlawful.

To do this, officers frequently must maneuver their vehicles around without the use of headlights. While this was a pretty dangerous task in the past, recent technology with night vision goggles has made this task extremely safe. A good pair of night vision goggles combined with infrared headlights isn’t much different than driving with regular headlights, however, it is undetectable to others in the area. Strict protocols are in place to regulate officers driving without headlights not only to protect the officers, but the public, and the violators as well.

Occasionally, perpetrators decide that it is a good idea to try and run from

officers who try to stop them while night hunting. To combat this, officers in Saskatchewan are trained to use, and carry, spike belts or stop sticks to flatten the tires of those who run. These tools are particularly effective when multiple units are in close proximity to each other in the same area. With a little radio communication, officers can position themselves to intercept the fleeing vehicle and deploy a spike belt as an alternative to a vehicle pursuit.

Night hunting with searchlights is serious business and is dangerous for everyone. It is dangerous for the general public as spotlighting greatly increases the chance of a hunting accident. Sometimes the victims are unsuspecting people or property that have nothing to do with hunting or the hunting community and who’s only fault is living in a rural area.

It is dangerous to the hunters, not only because of the chance of a serious hunting accident, but also because when they are close to being apprehended, sometimes they make bad decisions trying to avoid prosecution.

Finally it is dangerous for officers. To be out night hunting with spotlights, one immediately demonstrates very little or no consideration for the safety of oneself or the surrounding public. If a person is that motivated to go out and hunt with lights, an officer must face the possibility the subject is motivated enough to try and get away, try to assault an officer, or maybe even worse. As officers, we aren’t dealing with the hunter who made a bad decision trying to get away with something small, or misread the regulations, or didn’t take the time to educate himself on the regulations. In spot lighting situations, we are dealing with those who make a conscious decision to go out and hunt dangerously for their own personal gain, with no regard for the safety of the people around them. Officers must be on guard dealing with night hunters ... after all, you know they have a gun. ☹

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