

# More About Poaching

by Bill Kiser

■ In the February issue, I made mention of the fact that much of the local poaching problem is due to ineffectual enforcement by the courts. Poaching, in short, flourishes because it's profitable. The Hawaii Division of Fish and Game publishes an annual report that includes, among other things, a breakdown of the fiscal year's record of citations and arrests, and disposition of cases by the courts. The following table is a partial breakdown of case dispositions for the past three fiscal years.

State of Hawaii		
Fiscal Year	1976/77	1975/76
Number of Cases	654	789
*pending & juvenile dismissed	185	178
convictions	72	81
bail forfeiture	113	199
Number of fines	284	330
suspended fines/sentences	47	101
split fines	54	76
public service	6	19
Total \$ of fines	6	3
Average \$ per fine	\$1185.00	\$3350.00
Average \$ per forfeiture	\$ 25.21	\$ 33.17
Risk factor	\$ 22.57	\$ 24.14
(Total \$ fines & forfeiture)	\$ 11.61	\$ 14.34
Total # of cases		

\*Includes cases carried over from the previous fiscal year.

Now, let's make a very liberal assumption, and say for the sake of argument that the Fish & Game wardens manage to apprehend 50% of all violators. The risk factor becomes something around five dollars and eighty cents. Have you taken a look at the price of fish in the market lately? Still think it doesn't pay?

Compare this with the 1976 figures compiled by the Alaska Division of Fish and Wildlife Protection (Alaska operates on a calendar year). A total of 1,957 arrests were made, net fines amounted to \$237,081, for an average of \$121.15 per fine. But perhaps what's most important, fines are assessed according to the severity of the offense. Last year, for example, eight men in a tour group were fined a total of \$2400.00 and lost all their fishing gear for illegally taking salmon on a closed stream. The judge refused to buy their story that they thought they were catching rainbow trout. In another case, a hunter was fined \$500 and spent 15 days in jail, while his guide was fined \$500, spent 30 days in jail, and forfeited his \$45,000 Cessna aircraft to the State. This was for taking a moose on the same day that he had flown in to the hunting area (you're supposed to wait 24 hours). Compare this to the slap on the wrist that was administered to the commercial fishermen who blatantly (and illegally) netted schools of fish right out from under the noses of hook and line anglers just off the Pokai Bay breakwater a few months back. At the risk of being accused of beating a dead horse, I'll reiterate one last time — Poaching flourishes because it's profitable. And as long as those who are being paid to uphold the law allow it to continue being profitable, the rest of us will be the final losers.

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