
ROLE OF POLICE

Facilitator: Jan Peters

Rapporteurs: Matt Low (TLI) and Tiffin Shewmake (TLI)

GOALS

This topic addressed the following issues:

- What roles can police play in environmental enforcement?
- Why might police be called upon to play those roles?
- What contributes to the success of having police carry out that role?
- What are the challenges of and solution to police involvement?

Some goals for these sessions were to share visions, form networks, and make acquaintances.

1 INTRODUCTION

More than 30 participants from approximately 20 countries and international organizations met in two separate sessions. Participants in this session represented a broad cross-section of backgrounds and experiences. There was also a broad range in the current level of police involvement in environmental enforcement. In some countries there is minimal involvement of the police, others utilize civil police to identify when environmental crimes have occurred, while other countries have police units specializing in environmental crimes. Generally, it was recognized that the police have valuable role to play in environmental enforcement by helping maximize scarce resources and provide expertise in specific areas.

2 PAPERS

Two papers are in the Proceedings Volume 1 (pages 561-571). Ed Neafsey describes in "The Role of Local, County, and State Police Officers in New Jersey in Environmental Enforcement" the work of these officers. He concludes that each level of law enforcement in New Jersey has a distinct role to play in fighting environmental crime. Rob Hessing states in "The Task of the Police" that the police can play an important role in enforcing environmental laws. The police have a key position with regard to the execution of policies. It is however a relatively new task for which a special infrastructure has to be created.

3 DISCUSSION

3.1 What roles should police have?

The exact role that police may have in environmental enforcement varies depending on the specific circumstances. In general, the police are viewed as a potentially large resource since there are usually many more police than environmental inspectors and they are widely distributed. Thus, scarce resources can be maximized through the use of police. Roles that the police can fulfill include:

- Issuing on-site citations for simple civil environmental offenses.
- Focusing on special types of offenses or offenses in protected areas.

- Supporting environmental agencies by identifying environmental crimes and contacting the appropriate agency.
- Supporting special criminal units in prosecuting particularly complex environmental cases.
- Supporting enforcement of crimes such as hazardous waste transportation and dumping, that require international cooperation.

In addition to civil police, some countries have developed units that specialize in the enforcement of environmental crimes or train police officers in more specialized areas such as conducting sampling. In other countries, the police may currently have little to no role in environmental enforcement. This may be because of a lack of resources in police departments.

The military may also be used to identify environmental crimes and problems. This may be useful in countries where resources are very limited. The military may be equipped for this role because of a wide distribution of manpower and advanced equipment. However, it was cautioned that the military may not be the appropriate organization for environmental enforcement and may not recognize the significance of environmental enforcement or may try to use additional responsibilities for other purposes.

The role of the police may also depend on the level; federal, state, or local. Federal police, especially a unit specialized for environmental crimes, may provide training and technical support to state and local police forces.

3.2 Why might police be called upon to play these roles?

Because there are more police than environmental inspectors, the use of police will expand resources devoted to environmental enforcement. The police can act as the “eyes and ears” of the environmental agency. The police are often better suited to investigate some specific areas where the environmental crime, such as hazardous waste dumping, involves criminals. Police can lend credibility to procedures for detection and prosecution, or supplement environmental staff when a potentially dangerous situation is expected.

Special units or constables with proper training, can be helpful for specific environmental laws, or areas which require special protection (e.g., parks). Inspectors in agencies may be trained as police and authorized to arrest and carry firearms.

3.3 What contributes to success?

Training, cooperation, and funding are important elements for success in utilizing police. Without training, police may not view environmental crimes as important as more traditional crimes and may not identify when an environmental crime has occurred. Basic training may include awareness of environmental crimes. More detailed training can enable police to conduct sampling or issue citations. Training in health and safety issues related to hazardous chemicals is also important.

Training goals may be set incrementally, with priorities determined to make the most efficient use of the police. The approach taken by some jurisdictions is to initiate a minimal awareness training for as many police as possible and train a small number of police in more detail. The future goal is a more complete training of a majority of police.

Funding is also important. Some countries have set aside a percentage of police department budgets for environmental enforcement.

4 CONCLUSIONS

Many police do not view environmental crimes as important as traditional crimes. Education is needed to change police attitudes to view environmental crime as an important area. Police are also taught to fight "crime" and not enforce regulations and may not want to take on this role.

It is also important to ensure that police units at all levels work together and also have police units assigned to areas that they are best equipped to handle, including areas where highly technical procedures must be followed to develop cases. Federal funds can be helpful in developing skills at local level.

International cooperation among police, especially the sharing of information, is increasingly important, particularly in areas such as hazardous waste dumping and trading in endangered species. It is also important that countries share information on companies that routinely violate environmental laws and move to operate in countries with less stringent enforcement. Interpol now identifies environmental crime as major and is developing methods to exchange information.

There also was agreement that education of the public is important, since the public can give information to the police on activities that may represent environmental offenses. Police can have a role in public education, particularly if police management attitudes are changed to recognize the importance of environmental enforcement. The Federal Crimes unit in the U.S. has received many tips from workers and, more recently, from citizens. It was agreed that the public may find it easier to report observations to local police, who could then recognize whether an environmental offense has occurred and take appropriate steps to deal with it.

The U.S. and The Netherlands have training materials, such as videos to help train police at any level.