
SUMMARY OF WORKSHOP: ROLE OF POLICE AS ENVIRONMENTAL ENFORCERS

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GOALS

- Determine the role of police as environmental enforcers.
- Discover barriers to cooperation between police and environment personnel.
- Determine necessary investigative, technical and legal tools for effective enforcement of environmental crimes.

1 INTRODUCTION

The workshop will discuss the experience of INTERPOL and the National Environmental Crime Unit that began operations in The Netherlands in 2000. Workshop participants will evaluate the unique role of police as environmental enforcers, methods, analysis of recent cases and overall results of criminal enforcement activities.

Questions the facilitators asked:

- What is the appropriate role of the police in enforcing environmental crimes?
- How can the information be shared?
- What training strategies should be adopted?

2 DISCUSSION SUMMARY

Criminal enforcement of environmental crimes needs three components:

- Technical expertise provided by the environmental agency.
- Investigation tools provided by a police agency.
- Prosecution.

“Police” must be taken in its broadest sense and includes traditional national, state/provincial and municipal police forces

as well as environmental police and some components of the Armed Services.

Because of different cultures, police and environment personnel are strange bedfellows. The police’s role is to bring defendants before the Courts whereas the role of environmental agency personnel is to solve the environmental problems. Also, the importance of environmental crimes for society must be made to police agencies since they will in most cases, attach more importance to violent crimes, such as murder, rape, etc. than to environmental crime and establish their priorities accordingly. The same could also be said for prosecution.

The barriers to sharing information between the environment and the police stem from the people involved themselves, the way the organization and systems have been established and also from legislation restricting the exchange of information.

A team approach to environmental enforcement where the police component is the coordinator of the actions is a possible solution. The police can then focus on its traditional role for protecting the community by being the eyes and ears of criminal law enforcement as well as a deterrent to unacceptable behavior. A team approach can also ease the problems encountered in sharing the information.

Another possible solution to the problems encountered is the formation of dedicated personnel to environmental police units or special environmental units within traditional police agencies. In the same manner, special environmental prosecutors would alleviate the problem at that level.

Training at all levels is also necessary to foster better understanding and cooperation between the different players:

- basic training to the “cop on the beat” so he can identify the problem and knows who to call;
- training and networking of prosecutors involved in environmental cases to give them tools and support (a good example is the Central American Environmental Prosecutors Network);
- training of the judiciary to give them some knowledge of the science involved and the effects of environmental crime on society;
- training focused on interpersonal relationships and on the understanding of each other’s culture.

3 CONCLUSION

The group established that with the different cultures represented, the word POLICE had to be taken in its broadest sense and include traditional national, state/provincial and municipal police forces

as well as environmental police and some components of the armed services. The group also recognized that regardless of the country or region, a common theme prevailed: Police and Environment Personnel are strange bedfellows: the role of Police being to bring a defendant before the Courts and the role of Environment Personnel being to solve the environmental problem.

The barriers to cooperation between the Police and the Environment Personnel are: the different cultures, the different priorities (the same applies to prosecution), the sharing of information which is impeded by the people themselves, the organization/system and in some instances by the law. A proper training strategy should help overcome most of these barriers.

The groups concluded that any criminal enforcement action requires that the evidence you present is in a manner acceptable to the court and that this role can best be played by police who are “investigation specialists”.

In the environmental enforcement, it is essential that the evidence be presented in a manner acceptable to the Courts. The police, as investigation specialists, have all the qualities to play that role effectively.