The Challenges of Environmental Law Enforcement

Kyle Lewis
Environmental Enforcement
Brazos River Authority

The Challenge

- Education is the main challenge for Environmental Enforcement.
  - The Public
  - Law Enforcement Officers
    - and
    - Prosecutors

Recognizing an Environmental Crime

*A crime is a crime!!*

Environmental crime is the same as any other crime.

They're just found in different codes.

*Example: Texas Water Code, Texas Health & Safety Code*
The First Challenge

• Educating the Patrol Officer

• The day to day Patrolman is the Backbone of Law Enforcement

Uneducated, a Patrol Officer might not give much thought.

• As where

• Most Code Officers wouldn’t give the next pictures a second thought.
The Environmental way!

TX. H&S code 365.012  
Penalties from Class C misdemeanors to State Jail Felony

TX. Water Code CH 7.145  
Special Offenses  
Penalties from $1,000 – 1,500,000  
Imprisonment from 30 days up to 30 years

The NEXT CHALLENGE

• Convincing the PROSECUTOR!

Explaining cases to Prosecutors can be a Challenge

Almost all Prosecutors are geared to the Texas Penal Code or Traffic Code.

Most Prosecutors frown on being told how to do with a case.
Circuit Rider Prosecutor

• Some area C.O.G.’s are starting a Circuit Rider Prosecutor for environmental crimes.

• Houston / Galveston C.O.G. has the first.

• NCTCOG is in the process of starting the program.

Resources

• Texas Commission on Environmental Quality
  • <10 Criminal Investigators across the state.

• Texas Parks & Wildlife Dept.
  Environmental Crimes Unit; <10 Game Wardens that specialize in Environmental Enforcement across the state

• Travis County Attorneys Office
  Has statewide jurisdiction for most environmental cases.

Report an Offense

• To report a possible offense,
  TCEQ website homepage, “Express Links”

• Click on “Make an Environmental Complaint”

• To submit a complaint:
  • use an online form,
  • call 1-888-777-3186,
  • e-mail: complaint@tceq.state.tx.us

Training Opportunities

Texas Commission on Environmental Quality
CELE Training conference one or two a year
(Criminal Environmental Law Enforcement)
www.tceq.state.tx.us

Texas Environmental Law Enforcement Assn.
TELEA Annual Training Conference
www.telea.org

U.S. Environmental Protection Agency
Advanced Environmental Crimes Training Program
www.epa.gov
Criminals Remember.....

The Shadow KNOWS!!

Kyle Lewis
Environmental Enforcement

www.brazos.org
klewis@brazos.org

Questions?