

San Marcos River Private Policing Efforts Ineffective

Despite tubing outfitters private plans to enforce laws along the San Marcos River, there has been a significant decline in the amount of enforcement. Since 2014, tubing outfitters have paid officers to provide security and law enforcement along the San Marcos River. In order to determine the effectiveness of their private policing efforts, ticket data was requested from Caldwell County officials regarding the number of tubing-related tickets issued in Precinct 3, which covers the stretch of river under review by the taskforce. The data provided shows a decline in the number of tickets issued in Precinct 3 and raises questions about their effectiveness compared to taxpayer funded policing efforts.

As many as 10,000 tubers now use the river on a weekend; however, instead of an increase in the number of tickets by private police, there has been a decline.

Ticket information for several offenses, including trespassing, minor in possession, and public intoxication, was reviewed in Precinct 3. The table below shows the number of tickets issued from April through September in 2014, 2015, and 2016 (2016 numbers cover April through July 20, 2016) by each offense:

Offense	2014	2015	2016
Trespassing Class A&B (tubing-related)	1	0	0
Trespassing Class C	0	0	0
Consumption of Alcohol by Minor	0	3	0
Minor in Possession	44	9	3
Public Intoxication	16	14	6
Littering	3	0	0
Drug Paraphernalia	9	13	20
<i>Total Tubing-related Offenses</i>	<i>73</i>	<i>39</i>	<i>29</i>

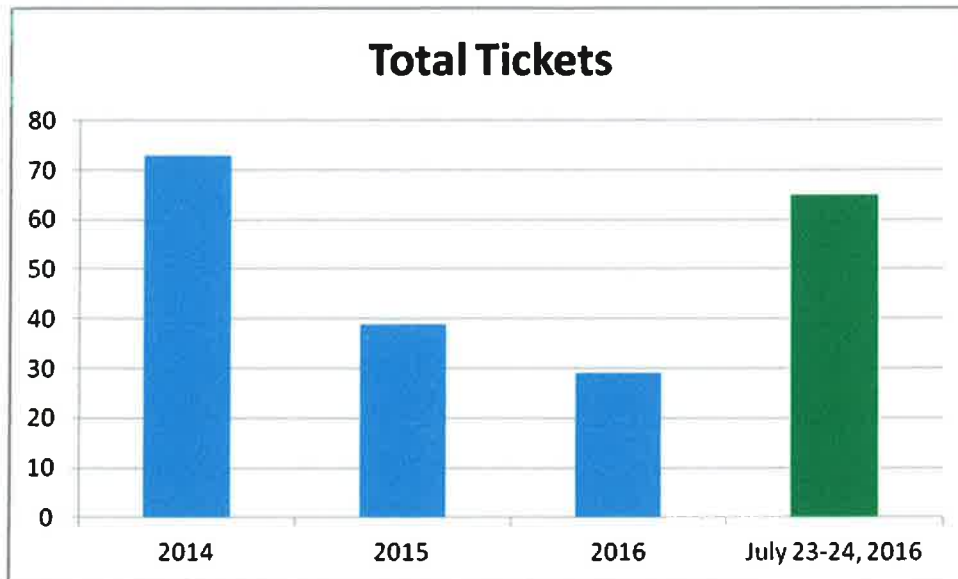
While the numbers of tubers using the river has not declined, the number of tickets has, further raising questions about the conduct of private police. Complaints originally surfaced after officers were filmed at Don's Fish Camp tasing tubers for fun. From April through September, there are 183 days representing the regular tubing season. Even at their peak in 2014, tickets were only written an average of once every three days. The number of tickets fell to about once every 5 days in 2015, and 2016 has been on a similar trajectory. Overall, there is a 60 percent decrease in the total number of tickets issued from 2014 to July 20, 2016.

(continued)

Submitted by
John Donor
01 Aug. 2016

This represents a significant decline in already weak enforcement, especially when compared to recent activity by the Caldwell County Constable's Office.

According to a *San Marcos Daily Record* article, calls for actual enforcement led to constables being stationed along the river. The newspaper report shows that on July 23-24, 2016 sixty-five tickets were issued for tubing-related offenses, including 3 for trespassing, 38 for consumption of alcohol by a minor, 3 for public intoxication, 1 for littering, and 2 for drug paraphernalia. One weekend of their enforcement efforts was two times the number of tickets issued through July 20, 2016 and was almost equal to the total written in 2014.



The constables success in writing tickets raises questions about whether or not privately funded officers have been fully enforcing the law. The comparison between regular law enforcement efforts and the privately funded efforts suggest that there has been a lack of enforcement since 2014, and even local officials are questioning the private policing activity. Caldwell County Commissioner Neto Madrigal told the *San Marcos Daily Record*, "We wanted to try to start enforcing instead of just having security." The tubing outfitters plan to pay for law enforcement along the river appears to be a failure.

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Caldwell writes 65 citations on river

Author: *anita miller*
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Article Text:

Days after a meeting of Caldwell County officials about calls for increased enforcement along the three miles of the San Marcos River used by the customers of tubing outfitters, the county stepped up.

Neto Madrigal, commissioner of Caldwell County Pct. 3, said constables from three of the county's four precincts were on the river over the course of the past weekend, writing **65 citations**.

"We wanted to try to start enforcing instead of just having security," he said.

The **citations** were for offenses ranging from "minor in possession of alcohol to minors consuming alcohol, to possession of marijuana to trespassing — there were quite a few for trespassing," he said, adding that a number were also for traffic violations.

The constables were stationed at Spring River Estates, Don's Fish Camp, Texas State Tubes and River Road.

A record nearing 10,000 tubes were counted by the volunteer organization San Marcos River Watchers on Saturday, July 16.

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