



# FWC

## Division of Law Enforcement

### ***Weekly Report***

***May 5 through May 12, 2016***

*This report represents some events the FWC handled over the past week; however, it does not include all actions taken by the Division of Law Enforcement.*

***Patrol, Protect, Preserve***

## **NORTHWEST REGION**

### **CASES**

#### **GULF COUNTY**

While checking a vessel on the Apalachicola River with three occupants for fishing licenses and compliance, Officer McMillion observed four catfish underneath the passenger's feet. Right behind him at the operator's feet was an orange extension cord with a chain tied to the end of it which is commonly used to shock fish. There were no fishing poles of any kind on the vessel. Officer McMillion asked the operator where his shocker was located and he pulled an electrical device used to shock fish (snuff can style) out of his back right pocket. The shocking device and extension were seized as evidence. The owner/operator was cited for taking freshwater fish with an illegal device (electroshocking) and the passengers were issued written warnings.

#### **OKALOOSA COUNTY**

Officer Maltais was on land patrol conducting state fisheries inspections at a local boat ramp in Niceville and observed a small Jon boat on a boat trailer with three individuals around the boat. The vessel was rigged out for flounder fishing. In conversation, Officer Maltais established that the individuals had returned from a fishing trip. The individuals stated they had caught one sheepshead. An inspection revealed one legal-sized speared sheepshead and one grossly undersized red drum. One of the individuals was issued a notice to appear citation for the undersized red drum and for an expired saltwater fishing license.

#### **SANTA ROSA COUNTY**

While on patrol in Navarre, Officer Land witnessed an individual fishing from a dock, throwing a cast net. Officer Land watched as the individual pulled the net in from the water and shook a fish out onto the dock. The man hesitated, looked around the area and then picked the fish up and placed it in a five-gallon bucket. Officer Land made contact to see what the man had caught. The fisherman said that he had not had any luck that day. After inspecting the bucket, the officer found an undersized red drum measuring 14 inches. The fish was released to the water and the fisherman was issued a notice to appear for the violation.

While patrolling the Escambia River by vessel, Officer Hutchinson observed two men pulling their vessel up to a boat ramp. He made contact with them and noticed that they were both acting nervous. He observed several fishing poles and live bait in the boat. After Officer Hutchinson conducted a vessel safety equipment inspection, he asked them if they had caught any fish. The owner of the vessel said that they had caught several bream. After Officer Hutchinson inspected the fish, he asked both subjects if they had anything else that they had caught onboard the vessel and they both said, "No." After further inspection of the vessel, Officer Hutchinson discovered a large live alligator snapping turtle hidden inside one of the compartments on the vessel. When he asked the subjects why they didn't tell him about the turtle, the owner of the vessel said, "Because I didn't know if it was legal to keep or not." Officer Hutchinson seized the turtle and the owner of the vessel was charged with illegal possession of an alligator snapping turtle. The turtle was released alive back into the Escambia River.

Officer Ramos was working in Blackwater State Park when he was approached by a Park Ranger about two men who camped in the campground and did not pay the fee. When approached by the Park Ranger, one subject refused to identify himself and sped out of the campground, nearly colliding with another vehicle. The man's license plate number was recorded and matched a vehicle that was also involved in a disturbance at a local convenience store. The subjects circumvented the gate at the park and entered illegally. Officer Ramos determined that the one subject was stationed at Naval Air Station (NAS) Pensacola. He contacted NAS Police and with their assistance and made contact with the subject, who later admitted his wrongdoing. Both subjects were issued citations for fee evasion.

## RESCUES

### SANTA ROSA COUNTY

Officer Land responded with fire/rescue to the report of a wrecked personal watercraft (PWC). Two individuals were on board a PWC when it rolled over. Due to the current, they were unable to get back to the vessel and they held onto a channel marker. A Good Samaritan on shore witnessed and reported the incident. Both individuals were returned to shore unharmed, and the PWC was recovered undamaged.

Officers Pettey, Barnard, FWC Pilot Tolbert and Lieutenant Berryman assisted the National Park Service on the Gulf Islands National Seashore on a report of a missing person. Utilizing FWC aircraft, ATVs and patrol vehicles, officers located the missing subject from the air walking down the beach.

## DIRECTED CONSERVATION PATROLS

This past week, officers throughout the region concentrated their patrol efforts targeting saltwater fisheries violations.

### BAY COUNTY

Officers Wicker, Gore and Lieutenant Keen patrolled federal waters and made six federal fisheries cases for taking red snapper in closed season.

### ESCAMBIA COUNTY

Officer Allgood and Investigator Livesay worked several days offshore conducting resource inspections. They issued three notices to appear citations for undersized triggerfish, amberjack, and red snapper. Additionally, FWC Pilot Tolbert observed two vessels returning from federal waters and followed them in to state waters. Officer Allgood and Investigator Livesay conducted a vessel stop at the Pensacola Pass. The operators of both vessels were in possession of red snapper. They were issued federal citations for possession of red snapper in federal waters. Several other related warnings were issued.

### FRANKLIN COUNTY

On the opening day of state red snapper season, Officers Raker and Nelson conducted patrol in federal waters. While on patrol, they encountered numerous state and federal violations regarding red snapper, gag grouper and amberjack. In total, the two officers issued four federal citations for the harvest of red snapper during closed season in federal waters, two federal citations for harvest of gag grouper in federal waters during closed season, and one state citation for undersized amberjack.

While on patrol in the offshore patrol vessel *Guardian*, Lieutenant Marlow, Officers Nelson and Robb, and FWC biologists Shipley and Walthall conducted several vessel inspections. During their patrols approximately 24 miles offshore, they stopped a recreational vessel with several red snapper on board. A later stop of a commercial vessel south of Cape San Blas resulted in officers locating multiple undersized greater amberjack. Another stop of a commercial vessel resulted in the occupants throwing red snapper and other items overboard during the *Guardian*'s approach. The FWC aircraft was flying above and FWC Pilot Tolbert observed the offense and radioed the information below. The FWC staff was able to recover the fish thrown overboard. The appropriate citations and warnings were issued for the violations mentioned above.

#### GULF COUNTY

Officers M. Webb, H. Webb, and Lieutenant Casteneda patrolled federal waters and made ten federal fisheries cases for taking red snapper in closed season.

#### OKALOOSA COUNTY

Officers P. Rockwell, J. Rockwell and Bartlett conducted federal/state fisheries patrols on the offshore patrol vessel *Vigilance*. The patrol centered on the opening of red snapper in state waters, resulting in three federal violations for possession/harvest of red snapper during closed season, one federal violation for undersized greater amberjack, one state violation for possession of an undersized greater amberjack and one written warning for undersized gray triggerfish.

#### SANTA ROSA COUNTY

Officers Cushing, Land, Miller and Lieutenant Berryman patrolled both state and federal waters during the opening weekend of red snapper season aboard FWC vessel *FinCat*. Over a two-day period, officers boarded 35 vessels to conduct fishery inspections resulting in ten of the vessels in violation of federal or state marine fishery rules and regulations. These violations included possession of red snapper during the closed season (federal), possession of over-the-bag limit of red snapper, possession of gag grouper during the closed season, and possession of undersized greater amberjack and triggerfish.

During the week, Officer Lewis patrolled Blackwater River State Forest checking campsites throughout the forest. He also patrolled various waterways throughout his assigned work area. Officer Lewis issued citations and warnings for no fishing licenses, possession of alcoholic beverages in prohibited area, glass containers in and around waterways, operating off-highway vehicles on managed lands and littering. Officer Lewis also issued various traffic warnings in the forest to deter users from disobeying traffic laws in the forest.

## **COMMUNITY ORIENTED POLICING**

### **ESCAMBIA COUNTY**

Officers Manning and Allgood spoke to members of a bass club at Olive Baptist Church discussing the upcoming changes to black bass. They also discussed boating safety and the process to get a permit for a bass tournament.

### **OKALOOSA COUNTY**

Officer Hutchinson was patrolling the Blackwater Forest near a creek and was approached by five Girl Scout leaders. They informed him that they were from several states including Florida and were looking for a couple of good places within the forest to launch their canoes that were easily accessible. Officer Hutchinson spent about an hour with them showing them several places on their map that would be easily accessible and answered several questions that they had about the forest. He also answered their questions about the duties of an FWC officer.

### **WALTON COUNTY**

Officer Tison participated in a community outreach event at Bay Elementary School in Point Washington. His patrol truck and vessel were displayed and he answered questions about the role and duties of an FWC officer. There were approximately 200 parents and students in attendance.

## **MUTUAL AID/AGENCY ASSISTANCE**

### **ESCAMBIA COUNTY**

Officer Allgood assisted Naval Air Station (NAS) base police and Escambia County Sheriff's Office regarding a man who fled. Officer Allgood arrived at the location where the man was about 150 yards from the beach in chest-high water. He refused to turn himself in for allegedly beating his 9-year-old daughter. As the sun was starting to set, Officer Allgood immediately went out in the water and apprehended the suspect. Officer Allgood escorted him to land and turned him over to NAS Police.

FWC officers, along with U.S. Coast Guard (USCG) officers, participated in a joint training day at the USCG Station in Pensacola. This training consisted of search and rescue (SAR) policy and procedure and proper search techniques and patterns commonly used by the USCG on SAR missions. Training was conducted in the classroom and on the water.

## **NORTH CENTRAL REGION**

### **CASES**

#### **ALACHUA COUNTY**

Officer Stanley observed an individual with multiple pictures of turkeys on Facebook. The officer received a warrant for Facebook information and after talking to area officers,

discovered the individual had been checked with two turkeys already. After an interview with the suspect and a conversation with the state attorney's office, charges were filed for over-the-season bag limit of wild turkeys.

## **DIRECTED CONSERVATION PATROLS**

### **ALACHUA COUNTY**

Officers in Alachua County have been checking area lakes for game fish violations. Bream species have been bedding on area lakes and a few complaints have been made of possible taking over the bag limits. Several fishing license violations and boating violation cases have been written; however, no over-the-bag limit cases have been observed. Officers will continue to monitor area lakes while keeping up with public speaking requests.

## **COMMUNITY ORIENTED POLICING**

### **ALACHUA COUNTY**

Lieutenant Ferguson attended the Newberry High School Criminal Justice Class graduation on Tuesday night. Several students were given awards for outstanding achievements and three students received seven-hundred-dollar scholarships. Newberry High School criminal justice students finished first in the state competition.

Major Krause, Lieutenant Ferguson and Officer Troiano attended the Alachua County Law Enforcement Memorial for Fallen Officers within Alachua County.

Officer Stanley attended an elementary school event held at Camp Kul-aqua. The event targeted water safety, where Officer Stanley emphasized the importance of personal flotation devices (PFDs).

## **NORTHEAST REGION**

### **CASES**

### **BREVARD COUNTY**

Officers Rogers and Platt were conducting fisheries inspections at Sebastian Inlet State Park when they observed a group of men dumping freshly caught fish into the trunk of a sedan in the parking lot. After conducting a closer inspection, one of the individuals was found in possession of an undersized snook measuring at only 26  $\frac{3}{4}$  inches long. The individual was issued a citation for the offense.

### **VOLUSIA COUNTY**

The FWC offshore patrol vessel Osprey was returning from an offshore joint enforcement patrol from St. Augustine when they were dispatched to assist a pelican that was hanging upside-down tangled in fishing line from a mangrove tree. Officer McDonough was able to maneuver the vessel in shallow waters up to the island where the pelican was hanging.

Officers Yetter and Wingard worked to untangle the pelican as it attacked them. The officers finally freed the pelican and it flew away from the area unharmed.

The annual “Mayhem” event was held at Juniper Sand Bar on Lake George. This event attracts hundreds of recreational boaters and includes a live band. Officers from multiple squads worked the event, focusing on boating and public safety. Lake County Sheriff’s Office also assisted with the event. The offshore patrol vessel *Seahawk* and crew provided a safe area to perform breath samples related to BUI arrests and temporarily house arrested subjects while awaiting transport. In total, seven arrests were made: 4 BUIs, 2 disorderly conduct (fighting), and 1 battery on law enforcement. Unlike in previous years, there were no medical evacuations, no search and rescues, and no reported boating accidents.

Lieutenant Eason and Officer McKee were on patrol in the area of French Landing within Blue Springs State Park when they observed an adult male subject operating a red F-150 in a careless manner. The truck was also occupied by two female passengers (one adult, one child). Upon making contact with the adult male driver, the presence of an alcoholic beverage was detected. The subject was found to be on probation and prohibited from being around alcohol or unlawful drugs. Field sobriety tasks were conducted and the subject was placed under arrest for DUI and violation of probation. An open alcoholic beverage container was also present in the vehicle. The subject was arrested for DUI and transported to the Volusia County Jail.

## COMMUNITY ORIENTED POLICING

Officers McDonough and Wingard were invited to participate in Pathways Elementary School’s Vehicle Day. This was a kickoff event to facilitate students learning about various careers. The officers spoke to over 700 students and were the highlight of the event, having brought with them an FWC patrol vehicle, patrol vessel and an alligator.

## **SOUTH REGION A**

### CASES

#### BROWARD COUNTY

While on patrol in South Florida Water Management District (SFWMD) Stormwater Treatment Area (STA) 2, Officer Tarr observed two subjects inside of the STA fishing. When the subjects saw Officer Tarr approaching, they jumped on their bicycles and tried to leave the area. Officer Tarr caught up with the two subjects and observed that they were in possession of 11 black bass. All measured 14 inches or greater in total length. In South Florida, each harvester can only keep a total of 5 black bass and only 1 of those 5 bass can be 14 inches or greater in total length. It is also a violation of SFWMD rules to be inside of STA 2 unless you are permitted to be there. The two subjects were issued citations for over the bag limit of black bass, possession of more than one bass 14 inches or greater, and fishing inside of the STA without an STA permit. One of the subjects received a citation for not having a freshwater fishing license and the other subject had an active warrant and was taken to jail. The fish were seized as evidence.

#### PALM BEACH COUNTY

Officer Toby observed an individual fishing on the Lake Okeechobee levee and conducted a fisheries inspection. The individual was in possession of three undersized black crappie. Officer Toby had cited this individual the year prior for the same offense. The individual was issued a misdemeanor citation for possession of undersized black crappie.

Officers Spanier and Morrow responded to a complaint of a subject fileting undersized sailfish at a private marina in Jupiter. Upon their arrival, Officers Spanier and Morrow made contact with several witnesses who advised they had seen the suspect fileting the fish and throwing the carcass over a nearby embankment. The officers retrieved the sailfish and measured the length of the carcass, which was determined to be 46 ½". The minimum size for possession of sailfish is 63" in the State of Florida. Officers Spanier and Morrow then made contact with the suspect, who confessed to possessing the undersized fish. Officers Spanier and Morrow then issued the subject a misdemeanor citation and provided education reference sailfish regulations.

While on patrol at Phil Foster Boat Ramp, Officer Mann made contact with a vessel that appeared to be returning from a fishing trip. A fisheries inspection revealed the occupants to be in possession of three undersized grey triggerfish and one undersized vermillion snapper. The operator was cited accordingly.

## RESCUES

### PALM BEACH COUNTY

Officers Hankinson, Rogers and Godward responded to a distress call regarding two subjects in the water with a capsized vessel, four miles offshore of Jupiter Inlet. In a joint effort with responding agencies, the two subjects were rescued from the hazardous sea conditions with minimal injuries.

### DIRECTED CONSERVATION PATROLS

### OKEECHOBEE COUNTY

Officers Toby and Nasworth assisted the USCG with an enforcement operation. This operation was conducted to ensure individuals who operate charter vessels on Lake Okeechobee have the proper commercial license. Officers Toby and Nasworth conducted numerous vessel inspections with the USCG officers and identified two operators who were in violation of USCG commercial regulations. These two cases were turned over to USCG officers for further investigation and enforcement.

## SOUTH REGION B

### CASES

### MIAMI-DADE COUNTY

Officer Lutke and Major Escanio were on water patrol in the ICW near 79 Street when they witnessed four PWCs speeding in a slow-speed manatee zone. Upon contact with the operators, one of them began to talk very loud and had very bloodshot eyes. Closer contact with the operator revealed a scent of alcohol emanating from his breath. The officers asked the

subject to come aboard their vessel to perform field sobriety tasks. The operator was subsequently arrested for BUI. He also refused a breath sample and was charged with BUI. He was cited for refusal to provide a breath sample and for the manatee zone violation.

## MONROE COUNTY

While returning from a local training class, Officer Foell was driving southbound on US-1 and observed a subject walking on Shark Channel Bridge carrying what appeared to be a large snook by the gills. Officer Foell turned the vehicle around, parked out of sight and began walking towards the subject. The subject was already halfway down the bridge and still holding the fish by the gills. As Officer Foell approached the subject and announced himself, the subject stated "I don't know what kind of fish this is" and stated "I can throw it back." The subject then laid the snook on the ground. The snook was bleeding, unresponsive and appeared to be dead. The snook measured to 36 inches in total length, and was caught during a closed season.

Officers Piekenbrock and Mason arrived a short time later and informed Officer Foell that they had conducted a fisheries inspection on the same subject approximately 30 minutes prior, and had issued him a written warning for possessing an undersized mangrove snapper. Officer Foell issued the subject a notice to appear for possessing an oversized and out-of-season snook. Officer Foell explained the importance of knowing the fishing regulations and supplied the subject with a current saltwater fishing regulations guide.

The crew of the Offshore Patrol Vessel *Peter Gladding* conducted a marine fisheries inspection on a three-day charter headboat south of the Dry Tortugas National Park. Upon initial boarding, passengers dumped undersized fish overboard which were quickly retrieved by the crew. The inspection revealed undersized mutton snapper, undersized yellow tail, undersized red grouper and undersized gray snapper. The undersized fish were also being cut up and used as bait. Also found in a separate cooler were grouper and snapper filets and live rock with coral attached was also found on the vessel. The captain was cited for possession of undersized snapper and grouper, live rock and possession of un-whole condition of reef fish. The captain was also cited for not possessing a valid state charter headboat license and given a verbal warning for expired federal charter headboat permits. A passenger on board was cited for interference with an FWC Law Enforcement Officer as well as harvest of undersized snapper.

Officer Boyd inspected a Key West parasailing vessel flying parasails within two miles of the Key West Airport. The vessel operator produced a restriction wavier from the airport allowing them to fly under 300'. Officer Boyd examined the wind logs and found them to be incomplete. After the inspection, Officer Boyd issued one citation for expired registration (2014) and one written warning for incomplete wind logs.

## DIRECTED CONSERVATION PATROLS

### MONROE COUNTY

Officer Plussa conducted targeted boating safety and marine environmental enforcement over the high-volume Mother's Day weekend in the Marathon area, including multiple state parks, beaches, shorelines, and heavily traveled waterways. Throughout the course of his patrols, he

issued 38 boating citations for vessel safety equipment, safe vessel operation, and vessel registration violations. He issued 17 other citations for a variety of violations including environmental, resource, public safety, and state park/trail rules violations. In contrast, Officer Plussa issued 41 documented warnings for similar violations in these areas taking account for violator intent and past history with FWC, choosing to use these encounters as educational ones for the first-time or unknowing violators. Officer Plussa checked around 98 people he encountered over this busy three-day weekend during his directed patrol effort.

#### MAJOR WILDLIFE ASSISTANCE

#### COLLIER COUNTY

The Miami Regional Communications Center received several calls about a panther on I-75 near mile marker 90. Lieutenant Bulger and Panther Biologist Mark Lotz responded to the area and were on the lookout for the panther. Lieutenant Bulger was flagged down by a construction worker who was in the area and had observed the panther. Once the panther was located, Biologist Lotz was able to open a section of the Panther Preserve high fence and the men were able to herd the panther back through the gap.

#### COMMUNITY ORIENTED POLICING

#### MIAMI-DADE COUNTY

PIO Officer Veloz and Investigator Taboas were guest speakers at the Fanshawe University of Law Enforcement. Students and graduates came from Canada to the Miami Office for ride-alongs and to learn what the FWC is all about. Students were educated on officer safety, professionalism, conservancy and FWC's mission.