

Florida Fish and Wildlife Conservation Commission

Division of Law Enforcement Weekly Report



Patrol, Protect, Preserve

March 1, 2019 through March 7, 2019

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.

NORTHWEST REGION

CASES

FEDERAL WATERS

Officers P. Rockwell, H. Rockwell, and Matechik were on federal fisheries patrol aboard the Offshore Patrol Vessel Vigilance. Approximately 11 miles south of Destin, the officers inspected a vessel with three individuals on board. During the inspection, the individuals were found in possession of red snapper during closed season and undersized gray triggerfish. The individuals were cited for the federal violations of possession of red snapper during closed season and possession of undersized gray triggerfish.

Officers P. Rockwell, H. Rockwell, and Matechik were on federal fisheries patrol aboard the Offshore Patrol Vessel Vigilance. Approximately 15 miles southwest of Ft. Walton Beach, the officers inspected a vessel with two individuals on board. During the inspection, the individuals were found in possession of red snapper during closed season. The passenger of the vessel admitted to catching and keeping the red snapper and was cited for the violation.

NORTH CENTRAL REGION

CASES

DUVAL COUNTY

FWC Resource Protection Service (RPS) Officers Schirbock and Shearer were on water patrol 25 miles east of Jacksonville when they saw a vessel fishing. The occupants were surprised to be checked by an unmarked vessel and Officer Schirbock located six red snapper during the inspection. The three subjects on board admitted to harvesting and retaining the fish and were issued federal citations for possession of red snapper during closed season.

COMMUNITY ORIENTED POLICING – EXPANDING PARTICIPATION IN CONSERVATION

SUWANNEE COUNTY

Officers Boone and Fowler participated in Ag Day at Branford High School. There were more than 500 students in attendance for this event. Both officers presented information on boating safety, resource conservation, conflict wildlife and state vessel regulations. The conflict wildlife display included an alligator for discussions on safety and coexisting with the wildlife of Florida.

NORTHEAST REGION

CASES

VOLUSIA COUNTY

Officer Cameron responded to a call and found three deer carcasses in the woods on the side of the road. Two of the deer had the backstraps and legs removed and there were fresh blood stains on the street. The officer canvased the neighborhood and spoke to a resident nearby who claimed to have heard shots early that morning. During the conversation Officer Cameron developed a suspect. At the suspect's residence, the officer found a pool of blood on the driveway as well as a 22-mag shell casing on the ground in the front yard. Officer Cameron interviewed the subject and obtained a sworn written confession. Officer Cameron consulted with the State Attorney's Office and charged the subject with a total of seven misdemeanor charges including three counts of taking deer during closed season, one count of taking deer with gun and light, one count willful/wanton waste, and other related criminal charges.

Officer Pelzel responded to the Edgewater area after an adult male called to report that while he was in his boat, another boater intentionally hit his vessel. After interviewing the victim, Officer Pelzel and Investigator Cogburn located the other boat and operator involved. It was determined that there had been an argument and the suspect intentionally rammed his vessel into the victim's vessel. The officers were able to obtain a confession from the suspect. A warrant was obtained for aggravated assault and reckless operation of a vessel and the subject was booked into the Volusia County Jail.

Captive Wildlife Investigator McDaniel received information from Captive Wildlife Investigator O'Horo about an individual illegally possessing a rhesus macaque as a pet in Volusia County. Investigator McDaniel contacted the female subject and confirmed that she was in possession of a macaque, which she had for approximately two years. The subject had an FWC license to possess a marmoset monkey but was not licensed for macaques. The macaque had full access to the mobile home and interacted with the subject's grandchildren. Investigator McDaniel issued the subject a misdemeanor citation for possession of class II wildlife without a license and several written warnings related to the marmoset and the macaque caging conditions. The macaque was voluntarily relinquished to FWC and placed at a permitted facility.

PUTNAM COUNTY

Lieutenant Dickson received a call reference to someone unlawfully taking road bed rock from a pile at Rodman Dam that belonged to the State Park. Contact was made with two subjects that had a trailer backed up to the rock and loaded with a large amount. Both subjects were cited for petit theft over \$100.

MARION COUNTY

Local FWC officers and investigators from Marion, Lake, and Sumter Counties worked "Operation Ibis" targeting the illegal internet sales of wildlife. The officers issued seven criminal citations, and six warnings.

Officer Dias was on patrol at Carney Island Boat Ramp on Lake Weir. He saw a vessel idling in circles just off the end of the boat ramp. The operator appeared to be attempting to light a cigarette as the vessel circled, nearly colliding with a docked vessel. The officer also saw that the vessel was missing registration numbers on the starboard side. After observing the vessel operator make multiple attempts and finally secure the boat on the trailer, Officer Dias made contact to address the registration violation and conduct a boating safety inspection. During the inspection the officer saw several clues of impairment, and upon completion of the inspection, began a boating under the influence (BUI) investigation. The subject gave several more signs of impairment during field sobriety exercises resulting in his arrest for BUI. The subject was transported to the Marion County Jail where he refused to provide a breath sample to determine his breath alcohol content.

ST. JOHNS COUNTY

While on water patrol enforcing federal regulations offshore, Officer Thomas encountered several fisheries violations. During one stop and inspection, she found the operator to be in possession of undersized cobia. Officer Thomas issued the appropriate federal citation. On another stop and inspection, the operator was in possession of one undersized vermilion snapper. Officer Thomas issued the operator a warning.

BREVARD COUNTY

Officer Kearney was on patrol at Sebastian Inlet State Park when he saw two men fishing on the north jetty. The officer approached one of the men and asked if he had any luck. The man replied that he had not caught anything, but his friend caught fish. A resource inspection revealed the man's friend was in possession of twenty-nine bluefish. The bag limit is ten fish per person for bluefish. The subject was nineteen fish over the legal bag limit. A citation was issued for the offense.

Lieutenant Lightsey was conducting a commercial fisheries inspection and found numerous violations. The businesses' license had expired over one year prior and the business had insufficient records for the marine resources they possessed. The case was direct filed with the State Attorney's Office.

INDIAN RIVER COUNTY

Officer Delano conducted a commercial fisheries inspection at a local bait shop. The officer's inspection revealed the business license had expired and there were insufficient records. A citation was issued for an expired saltwater retail license.

COMMUNITY ORIENTED POLICING – EXPANDING PARTICIPATION IN CONSERVATION

VOLUSIA

Officer North and K9 Max attended a meeting of the Deland High School Public Safety Club. He talked to approximately 25 students about the duties and responsibilities of an FWC K9 officer and performed a K9 demonstration for the club.

ORANGE COUNTY

Investigators Wayne, McDaniel and Port K9 Officer Sidor gave a presentation and K9 demonstration to the Florida Animal Control Association's annual training conference in Orlando. The training was well received and was attended by approximately 100 attendees.

SOUTHWEST REGION

CASES

LEE COUNTY

Officer Winton responded to reports of derelict vessels being stored in the Imperial River. He located several vessels that were at-risk of becoming derelict upon the waters of the state. He also recognized the vessels from prior contacts with their owner. During

the inspection he found several violations for which he cited the owner. Additionally, criminal charges pertaining to vessel registration violations are being filed with the State Attorney's Office.

Officer Winton was on vessel patrol in Mullock Creek when he saw a vessel violating the posted slow speed zone. A vessel stop was conducted, and Officer Winton recognized the vessel's captain from previous stops. It was determined that the captain worked for a dealer but was using the vessel for personal purposes. Additionally, the captain had purchased the vessel one year prior but had not transferred the vessel's title. The captain was issued two criminal citations for failure to transfer title within thirty days of purchase, improper use of dealer registration, a noncriminal citation for violating a manatee zone and several warnings for related violations.

Officer Winton was on vessel patrol in Estero Bay when he saw a vessel being operated without registration numbers. A vessel stop was initiated, and the operator exhibited signs of impairment. Field sobriety tasks were conducted, and the operator was placed under arrest for boating under the influence. The operator was transported to the Lee County Jail where he provided breath samples of .161g/210L and .155g/210L. The operator was booked into the Lee County Jail for BUI and was issued several boating citations for registration violations.

MANATEE COUNTY

Officer Dalton was working land patrol near the Palmetto Boat Ramp. He witnessed three men at the fish-cleaning table near the boat ramp cleaning what appeared to be a large quantity of gray (mangrove) snapper. An inspection revealed that the men were over their bag limit of five mangrove snapper per person. Each man was given a criminal citation for being over the bag limit of mangrove snapper and will have to appear in court.

PINELLAS COUNTY

Officer Specialist Bibeau, along with Officer Bibler and Lieutenant Van Trees stopped a vessel to conduct a fisheries inspection. Officer Specialist Bibeau boarded the vessel and located an out of season gag grouper. Officer Specialist Bibeau read the subjects onboard the vessel their Miranda rights and after questioning, one of the subjects admitted to catching the gag grouper. Officer Specialist Bibeau wrote the individual a misdemeanor citation for harvesting a gag grouper during closed season.

Officer Specialist Bibeau, along with Officer Bibler and Lieutenant Van Trees stopped a vessel to conduct a fisheries inspection. Officer Specialist Bibeau asked the individuals onboard the vessel if they caught any fish and was told they had one mangrove snapper onboard. Officer Specialist Bibeau boarded the vessel and located a bag of red grouper fillets hidden at the bottom of a large cooler filled with ice. Officer Specialist Bibeau read the individuals their Miranda rights and after questioning, one of the individuals admitted

to catching the red grouper and cleaning the fish. Officer Specialist Bibeau wrote the individual a misdemeanor citation for failure to land red grouper in whole condition.

Officer Petru and Investigator Tsongranis were on water patrol in the Anclote River near the Tarpon Springs sponge docks. Officer Petru saw a PWC that was being operated on a plane in the idle speed zone. Officer Petru called the individual over to his patrol vessel to address the violation. While speaking with the PWC operator, Officer Petru saw signs of impairment. Seated Field Sobriety Tasks were conducted, and the operator performed poorly. Officer Petru arrested the individual for BUI.

MAJOR WILDLIFE ASSISTANCE

LEE COUNTY

Officer Winton responded to reports of an injured sea turtle off the coast of Sanibel Island. He discovered a loggerhead sea turtle had been hit by a boat and was injured but was still alive. With the help of a Good Samaritan, the turtle was loaded onto the FWC patrol vessel and transported to shore. There, biologists from the CROW rehabilitation clinic recovered the turtle for treatment.

DIRECTED CONSERVATION PATROLS

PINELLAS COUNTY

Officer Bibler, Officer Specialist Bibeau and Lieutenant Van Trees were participating in a directed conservation patrol offshore. About fifteen miles due west of Pinellas County, Officer Bibler spotted a vessel returning from shore and stopped the vessel to check for fisheries compliance. A fisheries inspection revealed that the captain of the vessel was in possession of an undersized and out of season greater amberjack. The captain was cited accordingly.

Officer Bibler, Officer Specialist Bibeau and Lieutenant Van Trees stopped a vessel returning from offshore. They contacted the captain of the vessel and asked if they had any fish on board. The captain stated that he had six or seven mangrove snapper. Officer Bibler checked the hatch containing the fish and found a black grouper that was shoved way back in the hatch. The fish was measured and determined that it was undersized. Officer Bibler interviewed the subjects on board and cited the captain accordingly.

Officer Alvis and Officer Smith were working a directed conservation patrol which consisted of an investigation with NOAA and USCG in reference to a commercial longline vessel illegally longlining in the Steamboat Lumps. The Steamboat Lumps is considered a Marine Protected area and was created in 2000 by the Gulf of Mexico Fisheries Management Council. The officers seized the illegal fish (from the long-liner captain) which were compromised of several different species of grouper and snapper. The officers obtained three bids from fish dealers and the highest bidder was awarded

the catch. NOAA placed the check from the dealer in an escrow account until the outcome of the case is determined. The fish sold for \$23,644.20.

SOUTH REGION A

CASES

BROWARD COUNTY

While patrolling the Dania Pier and Whiskey Creek area, Officers Nall and Ryan saw a subject fishing in Whiskey Creek. During their resource inspection, Officers Nall and Ryan found 2 mangrove snapper buried in the sand. They found a third mangrove snapper entangled in a cast net, which is an illegal method for taking snapper. All three of the mangrove snapper were under the 10-inch minimum size limit. The fish were still alive and able to be returned to the water alive. The subject received misdemeanor citations for undersize snapper and illegal method of take.

Officer Tarr was on patrol when dispatch advised there had been a hit and run vessel accident. The “at fault” vessel was speeding trying to make a bridge opening when his wake struck a docked vessel causing significant damage to the vessel and a piling. The captain of the damaged vessel contacted the captain of the at fault vessel over VHF radio and the at fault captain advised he would return to take care of the accident. The at fault captain never returned. Officer Tarr was able to track the at fault vessel down and issued the captain citations for violating the speed zone, careless operation, and a criminal citation for leaving the scene of an accident.

Captive Wildlife Investigator Corteguera completed an investigation stemming from a ring-tailed lemur bite on Fort Lauderdale Beach. After an inspection of the facility where the lemur is housed, the lemur’s owner was cited with seven criminal citations. A re-inspection is pending, and 30 days was given to the lemur’s owner to bring the violations into compliance. Investigator Luher and Officer Sellers assisted with this incident.

Captive Wildlife Investigator Corteguera and Officer Sellers responded to a call in reference to a subject in possession of gopher tortoises. One subject was found to be illegally in possession of seven gopher tortoises, which are listed as a threatened species in the State of Florida. The subject was cited, and the gopher tortoises were transferred to a properly licensed rehabilitation facility.

Captive Wildlife Investigators Corteguera and Landa responded to an illegal possession of a raccoon complaint. The raccoon was seized and placed at a licensed facility. Seven warnings were issued for the illegal possession and other related violations.

MARTIN COUNTY

Officers Carroll and Morrow responded to a report of a subject that had possession of a gopher tortoise and was threatening to harm it. The officers contacted two subjects who appeared to be intoxicated. They had a gopher tortoise in a recycling container. When asked where the tortoise had been taken from, the subjects directed officers to a burrow, located under a nearby deck. When asked why he had removed the tortoise from its habitat, the subject advised he didn't want it under his deck anymore. Both subjects were given misdemeanor citations for violation of state statutes pertaining to threatened and endangered species. The gopher tortoise was then turned over to a wildlife rehabilitation facility.

Officer Hudson was conducting fisheries inspections at the Stuart Causeway when a subject told the officer he had filleted pompano in his cooler. Upon inspection, the officer found 9 small pompano fillets. When the officer asked the subject for his fishing license the subject went to his car to retrieve it. When the subject opened his door a strong odor of marijuana came from the truck. A search of the vehicle revealed the subject had three handcuff keys, handcuffs, 2 handguns, drug paraphernalia, under 20 grams of marijuana, and synthetic narcotics. The subject was booked into the Martin County Jail and cited for one felony and three misdemeanors for, possession of synthetic narcotics, possession of cannabis under 20 grams, possession of drug paraphernalia, and pompano not in whole condition.

PALM BEACH COUNTY

Officers Ames, Morrow, and Pecko responded to a report of a group of subjects illegally cast netting and "keeping everything". Officer Pecko located a black duffel bag that contained 35 undersize black drum and 1 undersize mangrove snapper. When questioned, none of the five subjects would say who caught the fish. A computer check of the subjects came back with no information. Due to the inability to identify the subjects and the egregious nature of the violation, all subjects were placed under arrest. Upon their arrival at the Palm Beach County Jail, one of the subjects was found to have a warrant. All five subjects were issued a citation for possession of undersize black drum and possession of undersize mangrove snapper.

Officer Brodbeck was on patrol at night in Lantana and saw a male subject actively fishing from a bridge with a cast net. The officer recognized the subject from a previous stop where a warning for no freshwater fishing license was issued. The subject was also provided with the freshwater and saltwater fishing regulations booklets. While speaking with the subject, he advised that he had not purchased a freshwater fishing license. A search of his bucket revealed numerous freshwater game fish. The subject was issued two resource citations for no freshwater fishing license and harvesting game fish by illegal method. The fish were returned alive to the water.

SOUTH REGION B

CASES

MIAMI DADE COUNTY

Officer Hedgepeth conducted a vessel stop and found a subject in possession of 2 great barracuda over 36 inches. Only one over 36 inches for trophy catch is permitted. He also checked a commercial vessel and found three undersize lobster and one undersize stone crab claw. Appropriate citations were issued.

MONROE COUNTY

Lieutenant Munkelt was conducting patrol in a small subdivision near NAS Key West. While delivering paperwork about a prior case, Lieutenant Munkelt saw several small birds that were caged in plain view. Lieutenant Munkelt called Officers Cobb and Sapp to assist with the investigation. An inspection of the caged birds revealed that 3 were painted buntings, 2 were indigo buntings, and 1 was a yellow-faced grassquit, all of which are protected under the Migratory Bird Treaty Act. An interview with the subjects found that they were trapping the birds and keeping them as pets. The birds were seized and taken to Key West Wildlife Center for evaluation, rehabilitation, and release. The traps used to capture the birds were seized as evidence. The subjects were issued notices to appear for violation of the Migratory Bird Treaty Act.

COMMUNITY ORIENTED POLICING – EXPANDING PARTICIPATION IN CONSERVATION

MIAMI DADE COUNTY

Officer Washington attended Miami Country Day School for a “Kids Let's Go Fishing: Environmental Seminar.” He discussed agency programs, resources and our mission along with initiatives geared towards Florida's next generation of youth becoming responsible and interested in conservation. Approximately 130 middle school students participated in the seminar.

Officer Washington and Officer Dube did a Facebook live event in Whale Harbor on PWC safety. They also gave an on the water demonstration for PWC operation and discussed expectations when renting watercraft legally. The video on MyFWC's Facebook page was viewed over 8,000 times.