

FWC DIVISION OF LAW ENFORCEMENT FIELD OPERATIONS

**WEEKLY REPORT
June 26 – July 2, 2009**

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

ESCAMBIA COUNTY

Officer Keith Clark checked an individual fishing from Pensacola Beach Pier and found the subject in possession of undersize king mackerel. A notice to appear citation was issued. Two individuals fishing nearby were found in possession of eleven king mackerel. Both were issued notices to appear.

Officer Keith Clark checked an individual fishing from the Lexington Pier in Pensacola. He found the individual in possession of undersize red snapper. A notice to appear citation was issued.

Officer Faris Livesay and Captain Mary Sumner were on water patrol of Perdido River. Upon checking a vessel with two fishermen, they discovered undersize redfish. The vessel operator claimed responsibility for the 13½-inch fish. The subject was cited.

Officer Keith Clark stopped a vessel in the Big Lagoon area of Perdido. The vessel was rented from a local livery and was short several life jackets. Officer Clark escorted the vessel back to the nearby livery and spoke to the person who rented the vessel. Officer Clark discovered that the individual who rented the vessel did not possess a required boating safety card. Officer Clark issued the individual a notice to appear citation for the renting a vessel without a boating card and warned the individual for renting a vessel without the required safety equipment.

Officer Faris Livesay was patrolling at the Molino boat ramp when he recognized a wanted subject from an incident that occurred the prior weekend. The subject had fled from Lieutenant Dan Hahr and was wanted on charges of boating under the influence (BUI) and resisting arrest without violence. When Officer Livesay attempted to arrest the subject, he again fled into the woods. Assistance from the Escambia Sheriff's Office was requested and received. A canine tracked the man from the scene to a residence where he apparently obtained transportation. Another warrant was filed charging the man with another charge of resisting arrest.

Officer Keith Clark checked a vessel in Bayou Grande. He found the operator in possession of an undersize gag grouper. A notice to appear citation was issued for the violation.

SANTA ROSA COUNTY

Lieutenant Brian Lambert responded to a complaint on Pensacola Beach that two individuals were operating personal watercraft (PWC) possibly under the influence of alcohol. Lieutenant Lambert arrived at the ramp area and observed a vehicle towing two PWCs and leaving the ramp. After observing the truck complete an improper start as he entered the roadway adjacent to the ramp parking lot, Lieutenant Lambert followed the truck and observed it cross the center line several times. Lieutenant Lambert stopped the truck and noticed signs of impairment. After performing poorly on field sobriety tasks, the operator was arrested for driving under the influence (DUI). A search of the vehicle revealed Oxycodone in a small plastic bag. A computer check revealed an active outstanding warrant for fraud out of Mississippi. The driver was transported to the Santa Rosa County Jail. At the jail, he provided a breath sample of .128 and .144 g/210L. The driver was charged with DUI and possession of a controlled substance without a prescription. The warrant was also confirmed and Mississippi agreed to extradite. Two other related traffic citations were also issued.

SANTA ROSA COUNTY COPS

Major Dave Pridgen, Captain Mary Sumner, Lieutenants Dan Hahr and Doug Berryman attended a pre-hunt meeting of the Blackwater Fox Hunters Association for their 44th Annual July Fox Trials. The officers mingled with hunt participants and attended the meeting of the judges and the open event. Major Pridgen answered questions from the group regarding this year's permit restrictions for the hunt.

OKALOOSA COUNTY

Officer Matt Webb conducted a fishery inspection on a vessel in Destin Pass. The inspection revealed undersize king mackerel. The captain of the vessel was cited for the violation.

WALTON COUNTY

Officer Ken White observed a subject fishing in Choctawhatchee Bay along Highway 331. An inspection of a cooler revealed undersize red drum. The subject was cited for the violation.

On July 1, at about 11:30 pm, Officer Randall Brooks received a call from FWC Dispatch that a Walton County Deputy Sheriff was checking properties on Choctaw Beach when he observed lights behind a residence. The deputy observed what he believed were four subjects fishing a gill net. Officer Brooks arrived on scene and began surveillance of the four subjects on a dock behind a residence. Officer Don Walker arrived on scene to assist Officer Brooks with the surveillance. The FWC officers observed the subjects harvesting fish from the nets and keeping the catch. After watching the subjects for several minutes, they approached and found the subjects in possession of two monofilament trammel nets (gill nets), undersize spotted sea trout, undersize snapper and other various species of fish. The four subjects lived and worked together in Crestview. The subjects were charged with being in possession of illegal monofilament trammel nets, taking fish by illegal methods (monofilament trammel nets), and other misdemeanor charges. In total, the two officers made four felony charges and 18 misdemeanor charges and issued four written warnings. The officers seized two 50-foot monofilament trammel nets.

WASHINGTON COUNTY

Officer Larry Morris responded to assist the Washington County Sheriff's Office with a request for an FWC boat to assist their dive team on Roache Lake. A woman, who had been fishing, recovered a woman's garment and reported it to the Sheriff's Office. The diver found no evidence of any suspected foul play.

HOLMES COUNTY COPS

Lieutenant Hampton Yates and Officer Larry Morris met with a Holmes County Commissioner and his crew at Lake Cassidy concerning a clean up and maintenance operation. In three days, the Lake Cassidy boat ramp road and ramp area was targeted utilizing the Florida Department of Corrections guard and inmates trimming and picking up litter. County personnel's efforts improved erosion and parking area enhancements. Plum Creek Timber Company personnel out of the Dothan and Gainesville offices are cooperating in this continuing endeavor.

HOLMES COUNTY

Lieutenant Yates found fresh litter among the patrons at Lake Cassidy. He addressed a few issues including open container of alcohol. Lieutenant Yates found an intoxicated 23 year-old DeFuniak Springs man passed out in a vehicle with over a dozen beer cans and litter on the ground and shore. Walton County EMS personnel and Holmes County Sheriff's Office responded to assist. The subject was evaluated and released back to Lieutenant Yates for the issuance of a littering citation.

GULF COUNTY

While on water patrol in St. Joe Bay, Officer Tony Lee conducted a boating safety and fisheries inspection of a vessel. He found the charter captain and four customers in possession of 14 spotted sea trout fillets in a cooler. After being questioned about the fillets, the captain admitted to filleting the trout. He also admitted to knowing it was against the law, however, he explained that he did it because he had another charter fishing trip scheduled for that afternoon and wanted to expedite his clients back to the boat ramp. Officer Lee cited the captain for the misdemeanor and seized the 14 fillets. Officer Lee inquired about his charter fishing license and found that his fishing license had been expired since 2006. Later this week, Officer Lee issued the captain a citation for having an expired charter fishing license.

FRANKLIN COUNTY

Officer Travis Huckeba responded to a capsized commercial oyster vessel just south of the Apalachicola Bay Bridge. He arrived on scene to find the five occupants of the vessel all clinging to the side of the overturned vessel. Officer Huckeba, along with another commercial harvester, helped retrieve the individuals from the water. According to the operator of the capsized vessel, he attempted to leave the oyster bar before the approach of a thunderstorm but the vessel was swamped by waves causing it to sink and eventually capsize. No one was injured as a result of the accident and the commercial oyster vessel was recovered.

LIBERTY COUNTY

Officer Hank Forehand was on land patrol in the Apalachicola Wildlife Management Area. He was on Forest Road 115 in the area of Sheppard's Slough when he observed a green Chevy truck parked at the entrance of the slough. Tire sign indicated an all-terrain vehicle (ATV) had been unloaded. The ATV tracks led from the vehicle down a dim road in the direction of the slough. He did not see anyone in the immediate area, so he continued down the road to White Oak Landing and then returned to the Sheppard's Slough area. At the entrance of the slough, he found that the green Chevy truck had left. He continued down Forest Road 115 when he spotted the Chevy truck. He approached and found the truck occupied with three individuals. The individuals had been fishing and each had a cooler containing freshwater pan fish in the bed of the truck. A freshwater fisheries inspection found one cooler to be substantially over-the-bag limit of pan fish. The individual had 65 pan fish in his possession. Officer Forehand explained that the daily bag limit of pan fish was 50 and that he was 15 fish over the limit. A citation was issued for being over-the-bag limit of pan fish.

NORTH CENTRAL REGION

ALACHUA COUNTY

Officer Brad Stanley received a call from an Alachua County Deputy that a man had jumped overboard into Newnan's Lake and was missing. Officers Stanley and John Duncan responded and searched into the early morning hours. After receiving information that the subject may have made it to shore, they decided to call the search and return the next morning. The next morning, Officer Stanley and Investigator Travis Hooker resumed the search along with the Alachua County Sheriff's Office Dive Team. The officers received additional information and began focusing in an area where witnesses said a fight had started on the vessel. While fighting, the occupants fell overboard in to the water and continued to fight. Later, Officer Duncan located the victim floating and was assisted by sheriff's deputies. An investigation of a possible homicide is being conducted by the Alachua County Sheriff's Office.

DUVAL COUNTY

While on water patrol at the St. John's River entrance, Officer Jamey Stowell conducted a boating safety and fisheries inspection aboard a vessel returning from fishing offshore. The vessel operator was in possession of over-the-bag-limit of red snapper and another fisherman did not possess a valid salt water fishing license. Citations were issued to both subjects.

NASSAU COUNTY

Officers Adam Small and Jamey Stowell were on patrol in a wooded area near Otis Road in Bryceville where they encountered two individuals. While talking to the subjects and ascertaining their reason for being there, a warrant check confirmed that one of the men had an active arrest warrant out of Nassau County. The man was arrested and booked into the Nassau County Jail.

Officers Adam Small and Tom Tucker were notified of a disabled vessel adrift in Peters Point Creek which is located in Georgia. There were three people on board, one of them a small child. The vessel was in a storm, which was producing hail and high winds. With the storm growing stronger, both officers responded to Georgia. When they arrived on scene, the tide was going out and the officers were not able to reach the vessel. Officer Small left the patrol vessel and made his way through the water and marsh to the disabled vessel. When Officer Small reached the vessel and assessed the situation, he came to the conclusion that there was no way to get the vessel out of the area and that all on board would have to walk out. Lieutenant Tony Wright and Reserve Officer Jim Tillis arrived a short time later in a shallow draft vessel to assist. Officer Small was able to carry the young child out and lead the others to the shallow draft vessel. The occupants were then transported back to St. Mary's.

Over the weekend of June 26, 27 and 28, area officers participated in Operation Dry Water a coordinated, national weekend of boating under the influence (BUI) detection and enforcement. The goal of the operation was to reduce the number of alcohol-related accidents and fatalities and foster a stronger and more visible deterrent to alcohol use on the water. In Clay, Duval and Nassau Counties, FWC officers participated along with personnel from U.S. Coast Guard, Clay County Sheriff's Office, Jacksonville Sheriff's Office and Nassau County Sheriff's Office. Prior to the operation, several media outlets participated in a press conference. Jacksonville area television stations, newspaper and two online publications reported on the operation and planned enforcement efforts. Weather had an impact on the operation locally. On Friday there were two impressive waterspouts on the St. Johns River near downtown and severe thunderstorms on Sunday. Still, over 400 vessels were inspected and many of the operators commented that they knew about Operation Dry Water and there was no way they would drive their boat while they were intoxicated.

SUWANNEE COUNTY

Officers Rodney Boone and Bryan Humphries had just checked the swimming area at Little River Springs. As they were leaving, they encountered a vehicle approaching them, weaving in and out of their lane. Officers Boone and Humphries turned their patrol vehicle around and followed the vehicle back to Little River Springs. The driver continued to weave in and out of his lane and then he pulled into the parking area. As the subject parked the vehicle, he pulled up onto the parking stop and then backed back down off of it. As the officers approached, the driver exited the vehicle staggering. The driver had bloodshot eyes and his breath had a strong odor of alcohol beverage. Inside the vehicle, the officers noticed a bottle of vodka half full. Officer Boone administered field sobriety exercises, which the operator failed. He was then placed under arrest for driving under the influence and booked into the Suwannee County Jail.

While patrolling the Santa Fe River, Officers Dwain Mobley and Rodney Boone observed a boat pull up to the mouth of the Ichetucknee River from the Santa Fe River. They watched the operator staggered around on the vessel and then fall out of the boat into the river. They also observed the operator consume at least two beers and drink from a bottle, which later was identified as moonshine. After a short time the subject got behind the wheel of the boat, and pulled out of the Ichetucknee River into the Santa Fe River. Officers Mobley and Boone stopped the boat to conduct a boating safety inspection. During the inspection the operator appeared to be dazed, he had bloodshot eyes and his breath had a strong odor of alcohol beverage. Officer Mobley conducted field sobriety tasks, which the operator failed. He was placed under arrest for boating under the influence and booked into the Suwannee County Jail.

NORTHEAST REGION

BREVARD COUNTY COPS

Officer Chase Platt and Lieutenant Travis Franklin gave a presentation to a group of children and adults at Merritt Island Presbyterian Church. There were approximately 70 people in attendance. Topics included boating safety, conservation and alligators.

MARION COUNTY

Officer Jesse Lee was on patrol of Salt Run Springs when he observed an individual attempting to take freshwater fish by underwater swimming, using a spear gun. The Marion County man was cited and released for that charge and was issued a warning for no divers down flag.

PUTNAM COUNTY

The property manager at Florida Rock Properties complained of trespassers on a parcel of property in Interlachen where the gate to the property had been recently torn down resulting in numerous trespass violations. Over the weekend Officer Troy Starling issued two citations and five warnings for trespass on the property.

Lieutenant Ben Allen was checking cameras on property where the landowner complained of trespass violations when a vehicle drove through a portion of fence that had been cut. When

the subject rounded a curve and saw Lieutenant Allen's patrol vehicle he tried to leave. The suspect was charged with trespass.

COPS

Officer Starling taught the laws portion of a Hunter Safety class for the 4-H Club in Palatka. Approximately 40 students were in attendance.

OSCEOLA COUNTY

During water patrol on Shingle Creek, Officer Kurt Arendas observed a personal watercraft (PWC) partially concealed under a fallen tree. Upon inspection, the officer found it had signs of being stolen (the vessel's HIN number had been removed). Officer Arendas notified the sheriff's office and turned the PWC over to them for investigation.

Officer Caitlyn Staskiewicz issued two warrants to Osceola County men for failure to pay or respond to non-criminal citations.

While participating in Osceola County's Operation Dry Water, Officer Staskiewicz, Reserve Officer Zach Ricciuti, and a Northeast Region Investigator stopped a boat on East Lake Toho to conduct a boat safety equipment inspection. During the inspection, the boat's occupants acted extremely nervous. When asked for the boat's certificate of registration, the operator produced a balled up paper. When he opened it up in front of the officers, they found it contained loose cannabis. During the subsequent search of the boat, Officer Staskiewicz found a cannabis cigarette inside the operator's pack of cigarettes. The subject was issued a notice to appear for the violation.

During Osceola County's Operation Dry Water, Officer Arendas and Lieutenant Guy Carpenter II stopped a boat on Lake Lizzie to address a navigation light violation and to conduct a boat safety equipment inspection. Officer Arendas detected signs of impairment on the operator and had the subject perform field sobriety tasks. After observing his performance, the subject was arrested for operating a vessel while under the influence of alcohol or chemical or controlled substances. Once he was on the officer's boat, the subject told them he would not be driving a car in the condition he was in, but he didn't think driving a boat was a big deal. It was learned the man had four previous arrests and convictions for DUI. He refused to submit a sample of his breath for the purpose of determining his breath alcohol level. Officer Arendas booked the man into the Osceola County Detention Center for felony operation of a vessel while under the influence of alcohol.

ST. JOHNS COUNTY

Officers Mike Pedonti, Jason Richmond, Ben Boots, and Darryl Thornhill took part in a detail to inspect charter and commercial fishing vessels returning to St. Augustine. The focus of the detail was to look for vessels that were not landing fish in whole condition. The officers, along with Lieutenant Steve Zukowsky, set up east of St. Augustine Inlet at the sea buoy and intercepted boats returning from offshore.

Officer Thornhill was the boarding officer for the inspection of a charter vessel which had been fishing east of St. Augustine about 42 miles offshore. The paying members of the charter had harvested greater amberjack, black grouper, red snapper, vermillion snapper and black sea bass. During the course of the inspection, Officer Thornhill determined that the vessel's federal

south Atlantic grouper-snapper permit had expired in January 2009. Also, Officer Thornhill found two red snapper that measured just under 20 inches. The captain was issued a federal fisheries citation for failing to possess a current grouper-snapper permit and a written warning for the undersize snapper.

Officer Richmond was the boarding officer for the inspection of a commercial fishing vessel out of St. Augustine. The bandit rig boat had been fishing in federal waters for three days and had several pounds of vermillion snapper in its fish hold, along with a few red snapper, gray triggerfish, and black sea bass. During the course of the inspection, Officer Richmond determined the captain had been fishing under an individual saltwater products license (SPL), which did not cover his two crewmen. Furthermore, one of the crewmen who was wanted in Indiana under an active warrant, possessed a smoking pipe with freshly burnt cannabis in its bowl. By the end of the boarding at the Riveria Street docks, Officer Richmond issued both crewmen citations for failing to possess an SPL while engaged in commercial fishing. In addition to being arrested on the outstanding warrant and turned over to the St. Augustine Police for transport, Officer Richmond cited the wanted crewman for possession of drug paraphernalia. Lastly, the captain was issued a written warning for failing to obtain a Florida vessel registration for his documented vessel and possessing two undersize vermillion snapper.

SOUTHWEST REGION

CHARLOTTE COUNTY

Officer Robert O'Horo investigated a boating accident near Stump Pass. The operator had beached the vessel and when another vessel would pass, the wake would push water over the stern. The operator eventually disengaged his vessel from the beach and attempted to accelerate, but as the forward throttle was applied, the stern sank causing the water within the hull to rush into the battery area. This caused the bilge pump to short out, resulting in the sinking of the vessel.

HIGHLANDS COUNTY

Investigators Daryl Amerson and Joe Brooks were conducting pet store inspections when they found an owner selling saltwater fish with a saltwater dealer's license that expired in 2005. A notice to appear was issued for the violation.

LEE COUNTY

Officer Jason Semeyn responded to a boating accident in Boca Grande Pass. Two boats were tarpon fishing the pass and became territorial over a pod of fish. A licensed captain onboard one of the vessels tilted the engine with the intent to prop wash the other boat and operated the boat in tight circles in an attempt to scare the tarpon away. During this altercation, one of the passengers fell to the deck then went into the water, sustaining minor injuries. The operator was cited for careless operation.

Officers Jonathan Ruggiero and Lonnie Sushil noticed an individual conducting seafood sales along the road in Pine Island. The officers made a quality and license inspection and noted the vendor had never purchased a retail license. Two citations were issued.

PINELLAS COUNTY

Investigator Jim Manson received a favorable verdict to a boating under the influence manslaughter case from 2006. The defendant received 15 years in state prison and \$750.00 in fines and court cost.

POLK COUNTY

Officers Robert Adams and Adonious Duhart were on water patrol on Lake Marion when they encountered an individual fishing for panfish. When asked how his luck was going, the fisherman responded, "Not too good. I think I caught too many." The officers inspected the angler's catch and found he was in possession of 86 bluegills, which is 36 fish over the daily bag limit. The man was issued a notice to appear for taking over the daily bag limit of panfish.

Lieutenant Lee Birge was patrolling in the Lake Wales area when he observed several subjects fishing with a cast net along the western shore of Lake Wales. The men were in possession of six undersize black bass and three panfish. Lieutenant Birge seized the fish and charged one subject with taking freshwater game fish by illegal method.

SARASOTA COUNTY

Officer Jean Paul Hernandez was patrolling south of the Sarasota Yacht Club when he stopped a boat to conduct a safety inspection. The individual was in possession of a red grouper and a mangrove snapper, which were both undersize. Officer Hernandez issued the individual a citation for possession of undersize red grouper and issued written warnings for possession of undersize mangrove snapper, expired saltwater fishing license and several boating violations.

SOUTH REGION A

BROWARD COUNTY

Officer Robert Kuester received a complaint of a subject catching and keeping snook at the Palm Air spillway. Upon arrival, an inspection revealed that one snook had been harvested out of season. The subject was cited.

Lieutenant Dave Bingham, Officer Nathan Brock and Reserve Officer Karen Malkoff checked a beach diver that possessed two, five-gallon buckets of live rock. The subject was cited and the rock was returned to the ocean.

Lieutenant Dave Bingham and Officers Nathan Brock, Brian Weis, Edwin Harp, and Reserve Officers Jon Conti, Paul Mercier, and Karen Malkoff participated in Operation Wave the Flag. The operation was initiated to increase dive flag awareness in South Florida. Numerous warnings and citations were issued for dive flag related violations.

Officer Caske responded to Pompano Beach after a complaint was received about a subject who had caught and kept a snook (during closed season). Officer Caske responded and met with the complainant. Pursuant to his investigation, the subject was charged with that violation as well as possession of undersize snook.

Officer Brian Weis observed a subject using traps to harvest blue land crabs. A citation was issued and the traps were seized as evidence.

OKEECHOBEE COUNTY

Operation Gator Bait was implemented at Nubbin Slough, Lake Okeechobee. The purpose of the operation was to increase public awareness of the negative effects of illegally feeding American alligators. Nubbin Slough is a popular fishing and wildlife viewing location. The combined efforts by participating personnel resulted in numerous educational contacts, warnings, civil citations and two criminal citations for attempting to take an alligator. Local media coverage was present.

PALM BEACH COUNTY

South Region A law enforcement officers and biologists captured an elusive black bear near Wellington. The bear was transported to the Osceola National Forest and released. This was the same bear that had been captured in Broward County less than one month ago. At that time, it had been released in a remote area of Collier County.

Operation Safe Beach was conducted on the beaches of Palm Beach, St. Lucie and Martin Counties. The purpose of the operation was to promote awareness of the laws protecting marine turtles and to deter the taking and/or harassment of nesting marine turtles and their eggs. The combined efforts by participating personnel resulted in thirty-five educational contacts. Some of the subjects encountered were in possession of artificial lights or were taking pictures of nesting turtles and were warned about "harassing" the turtles. Incidental to the operation, two drug related citations were issued. The popular show, Animal Planet, filmed and documented portions of the operation.

SOUTH REGION B

MIAMI-DADE COUNTY

FWC Reserve Officer Pete Donaghue and Officer Dan Miranda were on water patrol when they stopped two subjects aboard a vessel. After conducting a boating safety inspection, Reserve Officer Donaghue inspected the subjects' catch. They were in possession of twenty-four dolphin, nineteen of which were undersize. Citations were issued to both subjects.

MONROE COUNTY

Officer Erik Steinmetz arrested two illegal immigrants for numerous fisheries violations including the illegal harvest of lobster from within the Biscayne Bay Card Sound Spiny Lobster Sanctuary, possession of undersize lobster, lobster out of season, failure to possess a measuring device, failure to possess a Florida saltwater fishing license and possession of undersize hogfish. Both subjects were delivered to the Plantation Key Jail for further processing and deportation by U. S. Border Patrol.

Officer Tiffany Davis issued several citations to a livery operation in Summerland Key for insufficient and non-serviceable safety equipment, no infant sized life jackets and failure to display boating safety information to the renting public.

