

FWC DIVISION OF LAW ENFORCEMENT FIELD OPERATIONS

**WEEKLY REPORT
August 7 - 13, 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 Kenneth Manning received a complaint that a fisherman intentionally hooked a diver at the Russian freighter wreck site. Reportedly, the dive boat got to the wreck to dive after the fishing boat was already at anchor. This angered the fisherman and when two of the divers surfaced near his boat, he threw a jig at them twice. On the second cast, the fisherman caught the diver's wet suit and ripped it on the arm. Officer Manning interviewed and took statements from all the individuals involved. The fisherman who threw the jig stated that he was letting the divers know that they were on his spot and he was not trying to hurt them. Charges are pending.

Officer Keith Clark checked several subjects fishing off the Lexington Pier. Officer Clark noticed a cooler in the back of one individual's truck as he approached. The individual who owned the truck claimed he did not catch anything. Officer Clark requested to inspect the cooler in the back of his truck. The subject then admitted to catching two red drum. Officer Clark issued notice to appear citations for over the bag limit and oversize red drum.

Officer Keith Clark checked an individual fishing near Big Lagoon and found the subject in possession of two undersize flounder. A notice to appear citation was issued for the violation.

Officer Keith Clark checked a vessel near Big Lagoon State Park and found the vessel operator in possession of an oversize red drum. The individual was issued a notice to appear citation for the violation.

OKALOOSA COUNTY

Lieutenant Dennis Welsh and Officers Steve Bartlett, Pete Rockwell, and Van Barrow checked vessels in the Gulf of Mexico for compliance with fishery regulations. Two different inspections revealed bag limit violations of red snapper and an undersize cobia. Both vessel captains were cited for the violations.

Officer Matt Webb stopped a vessel for a fishery inspection in Destin Pass. The inspection revealed undersize trigger fish. The vessel captain was cited for the violation.

Officer Van Barrow checked an area off of Highway 393 in the Dorcas community that is known for illegal dumping. Officer Barrow observed a large pile of household debris that had recently been dumped. The debris contained mail with a subject's name and local address. Officer Barrow later interviewed a resident at the address who admitted to dumping the garbage. The subject was issued a citation for dumping over 15 pounds of garbage.

BAY COUNTY

Officer David Erdman recently received two favorable dispositions for boating under the influence cases. Two subjects were adjudicated guilty and fined \$1,155 and \$1,055 respectively. In addition, both individuals received probation for 12 months and shall serve 50 hours of community service. They must complete a substance abuse awareness course in addition to the boater's safety course. Both had their vessels immobilized for 10 days.

GULF COUNTY

Officers Arnie McMillion and Scott Hoffman were on patrol in St. Joe Bay and conducted a resource inspection of a vessel that had two persons on board. The officers observed a five gallon bucket in plain view that was not quite full of whole scallops. Officer Hoffman found a plastic water bottle full of scallop meat hidden under the console between some life jackets. He also found a bag of scallop meat under a tray in the bottom of the ice chest. The meat was determined to be the bag limit for the two people on board (two pints) and the remaining four gallons of whole scallops were returned alive back to the water. Both subjects were issued notice to appear citations for over the daily bag limit of bay scallops.

Officers Arnie McMillion and Scott Hoffman were on patrol in St. Joe Bay and conducted a resource inspection of a vessel with four juveniles on board. While inspecting the vessel, Officer McMillion was shown a bag that had approximately two pints of meat inside. When asked if that was all the meat or scallops they had on board, they said that was all they had. Further inspection of the vessel revealed two more bags of scallop meat in the front compartment in a five gallon bucket under a cast net. The four subjects had a total of six pints of meat and were allowed to keep their limit of four pints. The two extra pints were seized by Officer McMillion and later donated to the Taunton Family Children's Home. Two of the subjects on board claimed responsibility for the bag limit violation and were issued citations.

Officer Tony Lee observed a small 13-foot vessel with two males on board heading south into St. Joe Bay. A short time later, Officer Lee noticed that they came back to a small secluded ramp briefly before they headed back out in their vessel again heading south into the bay. Later, Officer Lee observed the vessel coming back in for the second time from the southern end of the bay. Officer Lee pulled up to the subjects at the ramp. One subject had already gone to retrieve their truck and trailer. Officer Lee made contact with the subject who was waiting with the boat and inquired how many scallops they had on board. The subject showed Officer Lee four gallons of whole bay scallops in a cooler on the floor of the boat. Officer Lee continued his investigation and both subjects admitted that there were more scallops in the back of the truck that they had harvested earlier that morning. Between both subjects, they were found to be in possession of 7 1/2 gallons of whole bay scallops. The remaining 3 1/2 gallons were returned back to the water alive. Both subjects were issued notice to appear citations for over the daily bag limit of bay scallops.

HOLMES COUNTY

The Florida Department of Agriculture conducted their annual marijuana spotting school in Holmes County. Two FWC helicopters along with local FWC officers located and pulled over 400 plants in two days.

WASHINGTON COUNTY

Washington County Emergency Services received a 911 call from an unknown male saying that he was “trapped under a car in a place where people fish.” Officers Lane Kinney and Kathy Jackson along with 50 other county officers searched for four hours before the man was located at a pond in Holmes County. The subject was located by local officials and was not trapped under a vehicle. He did have multiple outstanding warrants and was arrested.

A local alligator farmer reported that someone had killed one of his alligators and he could provide the names of the subjects. Officers Lane Kinney, Mike Guy, and Larry Morris began an investigation and met with and interviewed four suspects. All four individuals gave written confessions indicating they had killed the alligator to eat back in January. Charges will be filed through the State Attorney’s Office.

GADSDEN COUNTY

Officer Ben Johnson performed a saltwater resource inspection on a roadside vendor. The vendor was in possession of undersize flounder. Officer Johnson issued the proper citations.

LEON COUNTY

The Leon County Sheriff’s Office requested the use of an FWC K-9 in recovering a pistol used at a shooting. Deputies had searched for the weapon previously and could not locate it in the woods or open field. Officer Jeff Babauta and K-9 Mack arrived at the scene and located a .380 pistol hidden in the bumper of a camper that was parked in the open field. The detective stated that they had searched the camper and would have never found it in the bumper.

NORTH CENTRAL REGION

COLUMBIA COUNTY

While off duty, Officer Leslie Sharp witnessed a man stop and pick up a gopher tortoise. The next day, Officers Sharp and Harold Barry went to the residence of the subject. When they asked the subject if he knew why they were there, he responded, “Are you here about the plant?” The subject led them to a small marijuana plant he was growing

in the back yard, along with several items of drug paraphernalia. When questioned about the illegal taking of the gopher tortoise, the subject stated the turtle had a cracked shell so he "Super Glued" the crack and released it on his property. The man was cited for possession of marijuana, paraphernalia, and the illegal possession of the gopher tortoise.

Officer Harold Barry was conducting fisheries and license checks at Watertown Lake when he discovered an individual fishing without a freshwater fishing license. Officer Barry contacted dispatch and their search revealed two outstanding warrants for the subject's arrest. The subject was arrested and transported to the Columbia County Detention Facility.

SUWANNEE COUNTY

Lieutenant Jeff Swan parked in an undeveloped subdivision when he observed a vehicle pull in and work a light across a clear cut. Upon the initial stop, Lieutenant Swan checked three males and one female in the pickup truck, and observed .22 rim fire rifle in the vehicle. The subjects stated that they were "just looking". Lieutenant Swan issued the driver of the vehicle a warning for unlawful possession of gun and light. After releasing the subjects, Lieutenant Swan checked the area where the subjects had turned around and found three rifles that had been tossed out of the vehicle. Lieutenant Swan located the driver's mother's residence, and with assistance from Officers Rodney Boone and Dwain Mobley, they rounded up all of the subjects. During the interview with the subjects, after reading Miranda Warning to them, they all admitted to throwing the rifles out the window of the vehicle and also admitted to killing an eight point buck the night before. Lieutenant Swan issued the three male subjects each a citation for unlawfully taking/attempting to take deer by the use of gun and light during the closed season times two. Five firearms, an eight point buck head and cape, and a cooler full of deer meat were seized.

NASSAU COUNTY

Officer Adam Small was patrolling the Amelia River near the jetties when he stopped a vessel inbound from offshore. When Officer Small made contact, the operator immediately responded that his vessel was really low on fuel and he needed to go. Officer Small asked if there were any fish on board. The subject pointed to a cooler in the rear of the vessel and stated that he was over the bag limit of king mackerel. Officer Small followed the subject to the nearest fuel station where a citation was issued for possession of over the bag limit of king mackerel.

TAYLOR COUNTY

Officer Andrew Bickel received information from a complainant that a subject, who is currently in the county jail for domestic violence, had poached several alligators prior to his domestic violence arrest. During the subsequent investigation, Officer Bickel located three alligator hides that were tanning in the suspect's back yard, a 22 magnum

rifle from the suspect's home, 22 magnum shell casings from the suspect's vessel, and a knife and pliers with dried blood from a cleaning table in the suspect's back yard. During a subsequent interview at the county jail, the suspect confessed to killing three alligators and using the 22 magnum rifle in the process. In addition to being charged for the unlawful taking of an alligator, he was also charged with possession of a firearm by a convicted felon.

NORTHEAST REGION

LAKE COUNTY

Officers Monty Hinkle and Tom Kist received information that three men in a boat were taking undersize largemouth bass from Moon Lake. Upon arrival, the officers noticed the boat on the shoreline with a stringer of fish, but the three men and the maroon pick-up they were reportedly driving were gone. Officers Hinkle and Kist concealed their patrol trucks in a nearby wood line and waited for the men to return. An hour later, three subjects in a maroon pick-up arrived, loaded the boat and fish into the truck and attempted to leave the area. A resource inspection revealed the men in possession of undersize largemouth bass. They were cited for possession of undersize largemouth bass, littering, and several driver license violations.

Officer Jeff Beal was on water patrol within the St. Johns River/Astor Area. He observed an 18-foot vessel occupied by five adults, overtaking another vessel in a careless manner. Officer Beal conducted a vessel stop to address the violation. While explaining the violation to the operator, Officer Beal noticed numerous indicators of impairment. He requested the operator to submit to Horizontal Gaze Nystagmus (HGN) and the subject complied. After the HGN was concluded the operator refused to submit to any additional sobriety tasks or to participate in a boating safety inspection. The subject informed Officer Beal that he was a first year law student. Officer Beal promptly placed the subject under arrest for boating under the influence.

OSCEOLA COUNTY

Officer Paul Mendez responded to a personal watercraft (PWC) accident on Lake Cecile. The PWC was rented by a Colorado woman who, while operating it, ran it onto the shore and into a sturdy swing set, causing bow damage to the watercraft. The investigation is ongoing.

Officer Caitlyn Staskiewicz and Lieutenant Guy Carpenter II conducted water patrol on East Lake Toho targeting impaired and reckless operation of boats. The officers stopped a small boat with two men onboard to conduct a fisheries and boat safety equipment inspection. Both males were 19 years old and in possession of eight bottles of beer. During post Miranda questioning, both admitted the beer belonged to them and that they had thrown the four other bottles of beer into the lake after they drank them.

The subjects were issued notices to appear for possession of alcohol by a person under 21.

Later during their patrol, the officers stopped another small boat with two men to conduct a boat safety equipment inspection. During the inspection, the officers smelled the odor of burnt cannabis and the passenger was acting nervous. During the subsequent search for contraband, Officer Staskiewicz found the subject had a bag of cannabis inside his cigarette pack. He was issued a notice to appear for the violation. The vessel operator was also issued a citation for not having enough life jackets on board.

As the officers were on the way back to the ramp, they stopped a pontoon boat with several people on board to conduct a boat safety equipment inspection. During the inspection, Officer Staskiewicz observed the operator displaying signs of impairment. After having the man perform field sobriety tasks and observing his performance, the officer arrested him for operating a vessel while under the influence of alcoholic beverages. At the jail, the subject submitted a sample of his breath for the purpose of determining its breath alcohol level. The results were .091 and .087.

SOUTHWEST REGION

LEE COUNTY

Officer Gregory Bryson conducted a fisheries inspection on a vessel returning to Carl Johnson Boat Ramp. The operator stated twice that he did not have any fish onboard. After obtaining permission to search the vessel, Officer Bryson located a garbage bag containing four undersize snook. After Officer Bryson asked the operator why he kept the snook and he replied, "I didn't think I would get checked." The subject was issued a citation for possession of snook out of season, undersize snook, and over the bag limit of snook.

Officer Gregory Bryson was on land patrol near Blind Pass when he approached three individuals fishing from the beach. He overheard one of the individuals say "Don't say anything about the snook." After Officer Bryson confronted the individuals, he observed a 45-inch snook spread across the top of two, five-gallon buckets. The individuals initially denied knowing that the fish was a snook, but eventually admitted that they knew the fish was a snook and that it was oversize and not in season. The individuals were issued the appropriate citations.

Officer James Suttles and members of the U.S. Coast Guard responded to a boating accident on Mullock Creek. The accident involved a 21-foot Boston Whaler with five persons onboard that had impacted some mangroves at a high rate of speed. Although one occupant was ejected, there were no serious injuries; however, there was an estimated \$3,000 in property damage. Officer Suttles determined the operator failed to

maintain a safe speed. In addition, the Coast Guard issued a negligent operation fine (civil penalty of \$1,000) to the operator.

SOUTH REGION A

BROWARD COUNTY

Officer Mike Naujoks stopped a vessel as it entered Port Everglades. The three subjects on board stated they had been catching lobster. An inspection revealed undersize and over the limit violations. All three subjects were cited. One subject had a warrant for his arrest from Pinellas County and was taken into custody.

Officer David Weis was on patrol at the 15th Street boat ramp in Fort Lauderdale when an inspection revealed three subjects in possession of twenty-two spiny lobster - four were over their daily limit, two were undersize, and one was egg-bearing. All three subjects were cited for the violations.

Officer Enos and Lieutenant Laubenberger responded to a local hospital where a victim of a boating accident had been taken. K-9 Officer Juntunen, Lieutenant Marvin and Investigator Carcasses responded to the accident scene in western Davie. The accident occurred when a personal watercraft operator was towing a rider on an inflatable tube. The rider was slung into a canal bank and critically injured. The accident is under investigation.

COPS

K-9 Officer Juntunen, K-9 Gauge and Lieutenant Laubenberger attended the City of Margate's National Night Out Against Crime. The officers brought a patrol vessel and the canine unit for display and distributed agency literature. Approximately 6,000 people attended the event.

HENDRY COUNTY

Officer Henry Rockwell was patrolling on Barron Water Control District property when he observed two subjects fishing on a flood control structure. The officer approached and advised the subjects that they were trespassing. A computer check revealed that one subject had a Lee County arrest warrant issued against him. He was taken into custody. Both subjects were charged with the trespassing violation.

MARTIN COUNTY

Investigator Mike Orndorf closed an investigation of an Internet based crime case by charging the suspect with taking/possessing a deer during the closed season. The investigation began when the agency received a Wildlife Alert call. The caller advised that there were photographs posted on the Internet of subjects posing with a dead,

antlered deer. After viewing the website photos, Investigator Orndorf identified and interviewed several suspects. One of the subjects provided a full confession. A compound bow, arrow, and deer meat was seized as evidence.

OKEECHOBEE COUNTY

Investigators Shannon Wiyda and Scott VanBuren closed an investigation into the discovery of a very large Burmese python. The snake was captured on private property near Okeechobee Veterinary Hospital. It measured 17'2" and weighed 207 lbs. Investigators Wiyda and VanBuren examined it for the presence of a tracking tag in an effort to trace it to the last documented owner. Thus far, the python is believed to be the largest one captured in the state.

SOUTH REGION B

No report submitted.