

# FWC

## Division of Law Enforcement Weekly Report



**February 9, 2018 through February 15, 2018**

*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*

#### **FWC Division of Law Enforcement achieves reaccreditation**

The FWC's Division of Law Enforcement received recognition Feb. 21 at a ceremony in St. Augustine for completing the review process to maintain its accreditation status. The FWC was initially accredited in 2009. This was its fourth completion of the accreditation process.

Florida law enforcement accreditation is certified by an independent reviewing authority, the Commission for Florida Law Enforcement Accreditation (CFA). There are approximately 240 prescribed standards reflecting best management practices that a law enforcement agency must consistently meet or exceed over a three-year period in order to achieve this status.

Full Press Release:

<https://content.govdelivery.com/accounts/FLFFWCC/bulletins/1ddeb5>

#### **NORTHWEST REGION**

##### **CASES**

##### **FRANKLIN COUNTY**

Officers Peterson, Kossey, and Travis were targeting undersized oysters in the Eastpoint area. They conducted a resource inspection at the Eastpoint Boat Ramp and found two bags of oysters hidden in the boat. After checking the two bags of oysters for size tolerance, they determined one bag contained 96% undersized oysters and the other contained 100% undersized oysters. Both subjects were cited for possession of

undersized oysters and untagged bags and 444 undersized oysters were returned to the water alive.

While on land patrol, Lieutenant Marlow and Officer Boyd drove into Mikissic Beach to conduct resource inspections. When driving into the area, they noticed multiple individuals move around a vehicle in an evasive manner. The officers contacted the individuals and smelled the odor of marijuana. Further investigation revealed multiple bags and a wooden box containing marijuana. Additionally, a marijuana smoking pipe, another pipe with white residue, two straws with white residue, a butane torch, other drug paraphernalia, multiple knives and a pair of brass knuckles were located on one of the individuals. Officer Richardson and a Carrabelle Police Department Officer arrived on scene to assist. Appropriate law enforcement action was taken.

While on patrol, Officer Nelson observed an individual, known to place live animal traps, walk out of a wooded area with a gun. He stopped and talked to the individual and after a brief conversation the man got in his truck and drove away. Officer Nelson followed him and stopped him. Further investigation revealed that he had multiple live traps in the wooded area that he was checking and he failed to possess a hunting license due to it being revoked by the courts. Additionally, the individual had a revoked driver's license. Appropriate charges were issued for the violations.

## OKALOOSA COUNTY

Officer Bartlett was conducting resource protection and permit inspections on Eglin Wildlife Management Area. The officer observed a vehicle traveling on Range Road 400 during closed hours. Officer Bartlett stopped the vehicle and contacted the driver and passenger, neither of which had the required Eglin Recreational User Permit. Officer Bartlett issued notice to appear citations to both the driver and passenger for entering Eglin during closed hours and warnings for no permits.

## SANTA ROSA COUNTY

Officer Jernigan received information regarding a social media post that showed a duck and another bird that a subject had killed. The duck was identified as a hooded merganser, but the other bird was a grebe, a protected migratory bird. Officer Jernigan located the subject who admitted to taking the bird. He was charged with a violation of the Migratory Bird Treaty Act under Florida's Administrative Code.

Officer Hutchinson completed an investigation into a complaint about a juvenile that killed a short horn buck. The investigation revealed evidence that the subject killed the deer by drowning it after he shot it several times with birdshot. He was charged with taking an antlerless deer and animal cruelty.

Officer Hutchinson completed an investigation regarding a subject who harvested two antlerless deer on one of the doe days earlier this season. The man was found in possession of a fresh deer hide, and during the investigation, provided officers with

documentation that he killed two antlerless deer at one time. The limit is one per day. He was charged with taking over the bag limit of antlerless deer.

## WAKULLA COUNTY

Lieutenant Marlow received a complaint of multiple individuals trespassing on a large tract of land. He responded to the area and observed a vehicle matching the description the complainant gave. When he started driving to their location, the vehicle turned and sped off in a different direction. Lieutenant Marlow closed the distance, the vehicle stopped and the driver quickly exited the vehicle. An interview of the driver and all occupants revealed that they had knowledge that they were trespassing. All individuals were charged accordingly.

## NORTH CENTRAL REGION

### CASES

#### ALACHUA COUNTY

Officers Drew and Reith worked boating safety and resource protection over the weekend. While patrolling Lochloosa Lake they inspected a vessel from Georgia. The two subjects had 71 specks and several other bream species. The men were issued a citation each for over the daily bag limit. The 21 specks over were seized and donated to an approved facility.

Officer Stanley was traveling home from his shift when he saw a truck on a piece of property in Fairbanks area. The owner of the property had complained of persons trespassing. As Officer Stanley approached the vehicle, he observed a subject drinking a beer in the back bed of the truck. Officer Stanley issued a citation for trespass.

#### TAYLOR COUNTY

Officer Albritton received information that an individual was catching alligators and posting this activity on Facebook. Investigator McMillan began working on the information and found several photos on the subject's Facebook account of him in possession of alligators. After an interview, the subject was issued three criminal notices to appear in court for possession of alligators.

Officer Albritton received information from a concerned citizen that a private club member in Taylor County had killed an illegal buck deer. During the investigation, he determined that the subject had killed one illegal deer and was in possession of another. Officers Albritton and Robson met with the suspect at his hunt camp in Taylor County and issued the individual one criminal notice to appear and one written warning for taking of illegal deer.

## DIXIE COUNTY

Lieutenant Futch was on patrol when he observed a vessel heading in from fishing. He followed the vessel and observed it tie up to a private dock. As he made contact, he observed several redfish on the bottom of the vessel. During a fisheries inspection he discovered several more redfish in a cooler. The subjects were issued a notice to appear for over the bag limit of redfish.

Lieutenant Futch and Officer Sheffield received information that subjects were commercially harvesting oysters in a closed area. As they arrived on scene, the officers observed three commercial vessels and six subjects harvesting oysters in a closed area. Following a brief interview, the subjects admitted they knew the area was closed. The subjects were issued notices to appear and the oysters were returned to the water.

Lieutenant Futch was on patrol when he observed a man in a vessel gigging fish near Steinhatchee. As the operator of the vessel returned to shore, Lieutenant Futch made contact and observed an undersized flounder on the front of the boat. A resource inspection revealed a small plastic container with several redfish fillets inside. The subject admitted to gigging and filleting several undersized redfish earlier in the night and was issued a citation for the violations.

## COMMUNITY ORIENTED POLICING

### ALACHUA COUNTY

Officer Troiano attended Bishop Middle School's career day and answered many questions about our job and what our responsibilities are in conserving Florida's natural resources.

## NORTHEAST REGION

### CASES

#### BREVARD COUNTY

Officer Matthews was on patrol at Sebastian Inlet State Park when he observed a group of subjects loading up their vehicle in the parking lot. They had numerous items including fishing gear in their possession, but denied having caught any fish. During a resource inspection, a bag began thrashing around inside the open trunk of the vehicle. An oversized snook (34 inches) and several undersized sheepshead were found inside the bag. A citation was issued for the offense and the fish were returned to the water.

Two men arrested by Lieutenant Lightsey, Investigator Horst, and Officer Matthews were sentenced for numerous violations they committed in T.M. Goodwin Wildlife Management Area (WMA) last year. The two men were found guilty of illegally entering

a WMA, illegal take of frogs from T.M. Goodwin, possession of ammunition by a convicted felon, and possession of cannabis and drug paraphernalia.

## ORANGE COUNTY

Officer Mendelson observed two vehicles pulled off Nova Road near Deseret Ranch. After conducting surveillance, three individuals were apprehended for trespassing and fishing inside the ranch. Officer Bohne also responded to assist with the case. The three subjects were issued a notice to appear for trespassing and the fish were returned to the water.

## COMMUNITY ORIENTED POLICING

### ST. JOHNS COUNTY

Officers Harris and Miller and Lieutenant Zukowsky participated in the annual Heroes on the Water, Northeast Florida Chapter kayak outing in the Palm Valley area of the intracoastal waterway (ICW) in north St. Johns County. The officers provided vessel traffic control and general waterborne security for approximately 25 military veterans and their family members, many of whom fished for several hours in and around the tidal creeks in the narrow stretch of the ICW near the SR 210 Bridge.

## MAJOR WILDLIFE ASSISTANCE

### ST. JOHNS COUNTY

Officers Lawrence and Thomas assisted Florida Fish and Wildlife Research Institute (FWRI) Biologist Nadia Gordon from the Jacksonville Field Office with locating a juvenile harbor seal in the inland waters of north St. Johns County. With teams of biologists on each of their patrol vessels, Officers Lawrence and Thomas ferried the group around as they navigated the shallow waters in Stokes Creek checking on the welfare of the marine mammal. According to Gordon, biologists with the National Oceanic and Atmospheric Administration (NOAA) advised that the southernmost range for harbor seals is typically South Carolina. This one just went further south than most. Seals are opportunistic carnivores that feed on fish, shellfish and crustaceans. The animal appeared in good body condition and is likely eating well. The biologists hope the seal will head back north as the waters warm over the next few weeks.

## **SOUTHWEST REGION**

### CASES

#### HILLSBOROUGH COUNTY

Officers Berg and Gaudion were on night water patrol in South Hillsborough County when they observed a vessel using a high-powered spotlight. The officers watched the individuals and determined that they were gigging fish. The officers conducted a fisheries inspection and located a red drum that had been gigged. The individual was charged with red drum taken by illegal method.

While on land patrol along the Hillsborough River, Lieutenant Van Trees watched several subjects fishing from a closed bridge. During a resource inspection, warnings were issued for license violations and one of the subjects was found to have a warrant out of Jacksonville for his arrest. The subject was arrested, and Officer Phillippi arrived to assist and transported the subject to the Hillsborough County jail where he was booked for the warrant.

Officers Martinez and Alvis were on land patrol when they stopped two subjects as they were arriving back to the boat ramp. The subjects, one of which has a lifetime ban from commercial fishing, were in possession of blue crabs, stone crabs, and a bag of filleted fish. After interviewing both subjects, the officers found that they had caught two snook with a cast net and kept them. Snook is currently out of season and can only be caught with hook and line gear. Due to his extensive violation history, one subject was taken to jail for four misdemeanor charges related to snook violations, and the other male subject having no prior history, was cited accordingly for the violations.

Lieutenant DeLacure and Captive Wildlife Investigator Hough arrested two subjects regarding the unlawful taking and possession of Indigo Buntings and a northern mockingbird which were trapped illegally. The subjects were also charged for tampering with evidence after they attempted to conceal and flee with several birds.

Captive Wildlife Investigator Hough and Lieutenant DeLacure went to the Florida State Fairground to inspect mobile vendors and traveling wildlife exhibitors. They found and cited an out of state vendor for failure to present a valid non-resident fish dealer's license. In addition, they also discovered an individual from Texas that had unlawfully imported 60 sugar gliders (Class III wildlife), failed to obtain an import permit, had no license to sell/display/exhibit the Class III Wildlife, and imported the sugar gliders with no official certificate of veterinary inspection prior to entry into the State. The exhibitor was closed down by the Florida State Fairground Authority.

## HIGHLANDS COUNTY

Captive Wildlife Investigator Zimmerman along with Lieutenant DeLacure identified an individual who was illegally in possession of capuchin monkeys. The subject was charged with unlawful possession of Class III Wildlife (for exhibition purposes) without a valid license, possession of Class III Wildlife at an unpermitted facility location, and failure to meet minimum standard caging requirements. The monkeys were returned to the originating facility.

## LEE COUNTY

Officer Stapleton was conducting resource inspections along the coast when he encountered a man fishing near a bridge. During the inspection, Officer Stapleton located a bucket the man was using to keep fish which contained seven undersized mangrove snapper. In addition to possession of the undersized fish, the man had over his legal bag limit and failed to possess a current fishing license. Appropriate citations were issued.

#### MANATEE COUNTY

Officer Gonzales was on land patrol around the South Skyway Fishing Pier. While on patrol he stopped and performed a fisheries inspection on an individual fishing from the pier, which revealed that the subject had caught and kept several undersized gray mangrove snapper. The subject was issued a citation for possession of undersized gray snapper and will have to appear in court for his violation.

Officer Miller was on patrol conducting fishery inspections on Snead Island and encountered a subject in possession of eight undersized mangrove snapper, the largest being 8  $\frac{3}{4}$  inches, and one undersized sheepshead. The subject was issued a citation for the mangrove snapper and issued a warning for the undersized sheepshead.

#### PINELLAS COUNTY

While on water patrol in Big Bayou, Officer Alvis and Lieutenant Laskowski conducted marine sanitation device compliance inspections. Several anchored liveaboard vessels were inspected. Two citations and two written warnings were issued for various violations to include no working marine sanitation device, failure to transfer vessel title, and expired vessel registration.

Officers Guerin and Berg were on land patrol when they encountered three men fishing near the 4th Street boat ramp. A resource inspection revealed that none of the individuals had a valid saltwater fishing license and one of the individuals was also in possession of a 16-inch red drum. That subject was cited for possession of an undersized red drum and issued a warning for the license violation.

While on land patrol near Fort Desoto, Officer Bibeau contacted an individual that was returning to his vehicle to conduct a fisheries inspection. The individual was in possession of two undersized seatrout. After further investigation, Officer Bibeau found that the subject had previously been cited for the same violation only 10 days prior by another officer. Officer Bibeau wrote the individual a misdemeanor citation for the fisheries violation.

Officer Bibeau received a call from dispatch advising him of three individuals catching and keeping numerous undersized mangrove snapper and sheepshead near Blind Pass. A resource inspection revealed the subjects were in possession of 15 undersized

mangrove snapper and four undersized sheepshead. The individuals were issued the appropriate misdemeanor citation and warnings for the violations.

Officer Martinez was on land patrol at the 4th Street boat ramp when he observed a vessel returning to the ramp and performed a resource inspection of the vessel. The operator was in possession of 15 sheepshead, 14 of which were under the legal size limit of 12 inches. The operator also had an expired vessel registration. The subject had been warned less than a year ago for the same violations. The fish were seized as evidence and the subject was cited accordingly for the violations.

## SARASOTA COUNTY

Officer Brown was on land patrol around Case Key Boat Ramp and stopped and performed a fisheries and boating safety inspection on two men returning in their vessel. A resource inspection revealed one of the men had caught and kept a red drum that was undersized. The subject was given a citation for possession of undersized red drum and will have to appear in court for his violation.

Officer Sierra was conducting fishery inspections at the 10th Street boat ramp and performed a resource inspection on two subjects who were in possession of several undersized stone crab claws. Both subjects were cited accordingly.

Officer Hertel responded to a complaint of a subject cast netting and keeping snook in Phillippi Creek at the Tuttle Bridge. The subject netted a 41-inch snook and tried to conceal it next to the bridge. Officer Hertel found the fish and cited the subject for possession of snook during closed season and possession of snook over the slot limit.

## **SOUTH REGION A**

### CASES

#### GLADES COUNTY

Officer Worrell, Lieutenant Brown, and Captain Suggs were working night hunting when they observed a spotlight near the Charlotte county line. They located the individuals shining a spotlight and, while observing the individuals, heard a shot. After stopping the individuals, the officers located and seized one doe deer, 5 firearms, and a bottle of prescription pills. The appropriate citations were issued.

Lieutenant Brown made an illegal possession of alligator eggs case during the summer. The subject was found guilty, put on probation, and fined.

Officer Brodbeck was on vessel patrol on Fisheating Bay when he observed a vessel fishing for black crappie. A vessel stop was initiated to conduct a resource inspection. When asked how many fish he had on board, the subject stated 25, the daily bag limit

for black crappie. An inspection of a cooler on board the vessel revealed over the daily limit of black crappie already packed in ice. The subject was issued a citation for the violation.

Officer Brodbeck was on land-based water patrol at the Harney Pond Canal boat ramp. While assisting another vessel with a mechanical problem, Officer Brodbeck observed a vessel with fishing equipment in plain view load onto a trailer at an adjacent ramp. The officer approached the vessel and occupants and asked how many fish they had caught. The owner of the vessel stated that they had caught several black crappie, as well as other species. After receiving consent to inspect the fish on board, Officer Brodbeck observed several black crappie well below the 10-inch limit for Lake Okeechobee. When asked if he knew the size limit for black crappie, the owner of the vessel stated 10 inches. A total of 5 black crappie were below the required size. The vessel owner received a citation for the violation. The fish were photographed and returned to the water.

Officer Brodbeck was on land-based water patrol in Moore Haven. An off-duty officer informed Officer Brodbeck that subjects may be using a cast net at Sportsman's canal to harvest game fish. Officer Brodbeck parked his patrol vehicle a distance away and observed multiple subjects actively fishing from the bridge on SR 78 and catching black crappie. The officer contacted the subjects to conduct a fishing license and resource inspection. Four black crappie were less than the required length of 10 inches. One subject stated that he did not have a fishing license. When his information was checked through the law enforcement database, the subject had an active felony warrant out of Hendry County. The subject was placed under arrest and transported to the Glades County jail. The appropriate warnings were issued for the resource violations.

## OKEECHOBEE COUNTY

Officer Brodbeck was on land-based water patrol at the Scott Driver boat ramp on the Kissimmee River and observed a vessel being loaded onto a trailer with fishing equipment in plain view. A resource inspection revealed two black crappie less than the required 10 inches. The subject was issued a citation for the violation. The fish were photographed and returned to the water.

Officer Brodbeck was on land-based water patrol at the Scott Driver boat ramp along the Kissimmee River. While conducting surveillance, the officer observed a vessel with two occupants approaching the dock with fishing equipment consistent with fishing for black crappie. A resource inspection revealed 5 undersized black crappie. The passenger of the vessel took responsibility for the violation and was issued a citation. The fish were photographed and returned to the water.

## **SOUTH REGION B**

### CASES

## MIAMI-DADE COUNTY

An FWC officer responded to a request for assistance from a city marine patrol unit near Virginia Key. Upon arrival, the FWC officer found that the city officer had conducted a vessel stop and the operator was thought to be impaired. The FWC officer conducted field sobriety tasks, determined the subject to be impaired, arrested and transported him to an Intoxilyzer facility. The subject was administered a breath test which confirmed the officer's suspicion. Shortly thereafter, another FWC officer responded to a second request for assistance, this time from county marine patrol units at Crandon Park marina. Upon arrival, that FWC officer found that county officers had conducted a vessel stop and encountered another operator thought to be impaired. The FWC officer administered field sobriety tasks and determined that subject was impaired. The FWC officer arrested and transported the second subject to an Intoxilyzer facility where a breath test was administered. That subject's test results confirmed that he was impaired two times above the legal limit. Two other FWC officers responded to a call for assistance from US Coast Guard at Haulover Marina fuel docks. Upon arrival, the officers learned that Coast Guard had stopped a suspicious, outbound twenty-one-foot vessel laden with what was thought to be illegal fuel drums. Though the drums and the gasoline inside of them were determined to have been lawfully stowed and transported, the vessel operator was issued a criminal citation for failure to display a hull identification number on the vessel and infraction citations for registration and boating safety violations.

## MONROE COUNTY

Officers Way, Messier, and Lieutenant Peters conducted a commercial vessel inspection on a lobster fisherman actively pulling traps. Lieutenant Peters was dropped off on the vessel while Officer Way and Messier went and retrieved a lobster trap that was just dropped from the commercial vessel. Once on deck, Lieutenant Peters discovered a significant amount of undersized lobsters sitting in a basket on the deck. These undersized lobsters were not being maintained in a continuously circulating live well as required. Lieutenant Peters also discovered that the vessel was significantly over their limit of undersized lobsters for use as attractants. Officers Way and Messier found that the trap they retrieved did not have a valid tag. The captain of the vessel was charged with possession of 46 undersized lobster, not maintaining undersized lobsters used as attractants in a shaded continuously circulating live well, and for not having a current trap tag affixed to his trap. The 46 undersized lobsters were returned to the water alive and unharmed.

Officers Martino and Hettel were on water patrol in Key West Bight and conducted a vessel stop on a small skiff. During the boarding, the operator had been drinking and stated, "I had a few." Officers decided to perform seated field sobriety tasks. The operator performed poorly with enough clues to place him under arrest for BUI/Operating a vessel with normal facilities impaired. He was transported to Stock

Island Jail for booking. There he refused to submit a breath test and was issued an additional citation for that offense.

## COLLIER COUNTY

While conducting water patrol near Keewaydin Island, Officer Plussa was flagged down by a concerned boater who had called 911 about a dangerous vessel that passed them less than 5 feet and at speeds of over 50 miles per hour. The witness completed a sworn statement and Officer Plussa located the suspect vessel nearby. Because of his investigation, the owner and operator in command of the vessel was arrested for BUI and allowing an impaired person to operate the vessel and reckless operation of the vessel. During the encounter, one of the subjects became non-compliant and had to be physically restrained, resulting in additional criminal charges for resisting arrest and interference with an FWC officer. Both subjects were also cited for refusal to submit to a breath test and navigation rule and safety equipment violations.

While conducting evening park patrol of Delnor-Wiggins State Park, Officer Plussa was contacted by park rangers who found an intoxicated man passed out on the beach in a closed area after hours. The subject refused to follow their instructions to leave the park. Officer Plussa issued the subject citations for park rules violations relating to consumption of alcohol in a state park, remaining in a state park after closing hours, and a warning for failure to follow park staff instructions. Officer Plussa ejected the subject from the park and issued him a trespass accordingly. Due to the subject's impaired state and his inability to walk, Officer Plussa transported him to the park exit and coordinated a cab for his safe journey home.

## MAJOR WILDLIFE ASSISTANCE

### MONROE COUNTY

Officer McKay was requested by Dagny Johnson State Park management to assist in a Burmese Python collection event being held in the park and on Crocodile Lake National Wildlife Refuge properties. The South Florida Association of Environmental Professionals had received the necessary permits to conduct the invasive species removal day. McKay and State Park Ranger Bob Muhly led some of the groups through parts of the Keys not normally accessible to the public on both State and Federal lands and provided historical background on the areas. Even though no pythons were located, it was deemed a successful day as the group learned more about how the natural resources are being protected and in some cases where the areas are being restored back to their natural state.

## DIRECTED CONSERVATION PATROLS

### MONROE COUNTY

Officers Richards, Foell, Adams and Detective Bragg with MCSO conducted an overnight Gulf of Mexico JEA patrol onboard the FWC offshore patrol vessel Safeboat. The officers focused on a concentration of commercial shrimping vessels located outside of the Tortugas shrimp sanctuary. While heading offshore, the crew observed a commercial stone crab vessel actively working stone crab traps. An inspection revealed numerous commercial violations, including 15 undersized stone crab claws, no aerial display, no saltwater products license available for inspection, and no endorsement numbers displayed on their buoys. The subjects were charged accordingly.

Later in the patrol, the officers used radar to ensure no commercial shrimp vessels were inside of the Tortugas shrimp sanctuary. After surveilling the closed area, the officers began to board and inspect the commercial shrimping vessels. A total of four 80'+ vessels were inspected throughout the night. After completing the third inspection, the crew observed a vessel on radar inside the sanctuary. The crew approached the vessel and began documenting the violation. The vessel was approximately 300 yards inside of the sanctuary during the time of the boarding. The vessel was inspected, thoroughly documented and NOAA was notified on scene. The vessel contained 25,000 pounds of shrimp. The case has been forwarded to NOAA for federal charges.

## COLLIER COUNTY

Officer Plussa conducted targeted patrols of Delnor-Wiggins State Park and adjacent waters focusing on recent complaints involving vehicle and vessel traffic around park patrons. Officer Plussa stopped a total of thirty-five users and issued citations for park rules and littering violations, several boating citations for safety, registration, and navigation rule violations, and traffic citations for speed and careless operation, as well as written warnings for the same.

## RESCUES

### MONROE COUNTY

FWC Dispatch notified Officer Martino and Hettel of a person in distress on a grounded 34' center console vessel oceanside near Big Pine Key. Officers proceeded to Dolphin Marina and boarded an FWC vessel. Officers proceeded to the location while communicating with the U.S. Coast Guard. The victim was reported to be having an asthma attack and having difficulty breathing. Officers arrived at the subject vessel and found the captain curled up in the fetal position on a bench seat on the bow where he was barely conscious. The victim was placed on the patrol vessel and transported to shore to awaiting EMS and taken to the hospital.