

FWC Division of Law Enforcement



Weekly Report ***August 1 - August 7, 2014***

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

Patrol, Protect, Preserve

NORTHWEST REGION

ESCAMBIA COUNTY

Officers Pettey, Livesay, and Manning conducted offshore vessel patrols this week. They inspected 32 vessels. A total of 26 red snapper, three grey triggerfish, one greater amberjack, triggerfish fillets and amberjack fillets were seized during the detail. Citations were issued for possession of red snapper, grey triggerfish, and greater amberjack during the closed season. Citations were also issued for failure to land grey triggerfish and greater amberjack in whole condition. Several other warnings were issued for additional fisheries, boating safety and license violations.

GADSDEN COUNTY

Officers Johnson and Mims received a tip, via the Facebook social media site, of illegal harvesting of alligator snapping turtles. The officers contacted the suspect and recovered the carcass of a 60-pound alligator snapping turtle that was buried near the

suspect's residence. The carcass was seized as evidence and the subject was cited for possession of alligator snapping turtles.

SANTA ROSA COUNTY

Officers Lewis and Ramos were on patrol in Blackwater River State Forest at a primitive site when they observed one adult male, one adult female, four male juveniles, and one female juvenile on a sandbar across river. The officers observed the adult male smoke a cannabis cigarette and give the cannabis cigarette to two juvenile males who also smoked it. The officers observed a female juvenile and a male juvenile casually consume alcoholic beverages amongst the adults. The adults made no attempt to prevent the juveniles from consuming the alcoholic beverages. The officers identified themselves to the group and during a consensual search, Officer Lewis found cannabis, a cannabis roach, and a glass pipe containing cannabis residue. The female adult stated that all five children were hers and the adult male was her fiancé. The adult female's children who were on scene ranged from 7 to 16 years of age. Officer Lewis arrested the adult female and charged her with a felony charge of neglect of a child without causing great bodily harm, misdemeanor charges for giving an alcoholic beverage to a person under 21 years of age, and contributing to the delinquency of a minor. Officer Ramos arrested the adult male and charged him with the same charges as well as with possession of not more than 20 grams of cannabis. Santa Rosa County deputies assisted and transported the two adults to the Santa Rosa County Jail. The children were released to the adult female's husband.

Officers Allen, Anderson, Harrison and Jones conducted a shellfish harvest detail during the past week. Their efforts paid off with several arrests. Two different subjects were cited for harvesting shellfish after dark. One of the subjects was also charged with interfering with an FWC Officer after he pushed several pounds of shellfish overboard after being stopped. Two other subjects were cited for possession of undersized sheepshead and spotted sea trout.

NORTH CENTRAL REGION

DUVAL COUNTY

The Duval County Department of Health (DOH) asked for assistance with a tattoo shop in Jacksonville that was suspected of performing tattoos without a license and improperly disposing of their bio-medical waste. Environmental Investigators Terrones and Radcliff and the DOH performed an inspection at the business and discovered unsecured bio-medical waste in the business' dumpster along with numerous other health code violations inside the business. The DOH had previously cited the suspect for performing tattoos without a license. After being interviewed, the suspect admitted to performing the tattoos and generating the bio-medical waste. The suspect was charged with improper disposal of bio-medical waste and performing tattoos without a license.

NORTHEAST REGION

ST. JOHNS COUNTY

Officers Greenier, Hickman, Miller, Thornhill, and Lawshe, Investigator Brechler, and Lieutenants Allen and Zukowsky participated in a day-long, multi-agency active shooter training exercise and outreach event at the Flagler College Towers in downtown St. Augustine. The exercise was sponsored by the St. Augustine Police Department (SAPD) and coordinated by training personnel from the SAPD and St. Johns County Sheriff's Office. It consisted of multiple scenarios where law enforcement and fire-rescue/EMS personnel from multiple agencies received hands-on training, then responded to an active shooter event involving role players from the SAPD and Flagler College. Area FWC officers were the lead representatives from the state law enforcement contingents and were invited to participate because of their consistent working partnerships with the SAPD and St. Johns County Sheriff's Office.

INDIAN RIVER COUNTY

Officer Land was on vehicle patrol when he observed a vehicle towing a vessel trailer without a tag. He conducted a traffic stop on the vehicle for the tag violation. While conducting the traffic stop, he observed fishing poles, a cooler and a bucket in the vessel. Officer Land obtained consent to check the vessel for fish and located a snook inside the bucket measuring less than ten inches, more than 18-inches undersized and also out of season. The driver admitted ownership of the snook. Officer Land attempted to issue the driver a notice to appear for the violation, and the driver became agitated and refused to sign the citation. Officer Land explained to him he would be arrested if he did not sign the citation. Even after being told the consequences, he refused to sign the citation. Officer Land took him into custody and charged him with possession of snook out of season and refusing to sign the citation. The driver was delivered to the Indian River County Jail.

OSCEOLA COUNTY

Officer Mendez and Lieutenant Fugate responded to a call of a vessel traveling in circles without an operator on West Lake Toho. Further investigation revealed that there had been a man operating the vessel in the area earlier that afternoon. Deputies from the Osceola County Sheriff's office and FWC Investigator Zamonis arrived to assist in the accident investigation. The man was found deceased the following morning by Lieutenant Fugate. An ongoing investigation is being conducted to determine how the man died.

Investigator Trusley was on land patrol when he observed a truck towing a trailer full of waste tires. The required placard/decal was not displayed on the vehicle. Investigator Trusley conducted a traffic stop on the vehicle and the driver could not produce a valid waste tire hauler permit. After further investigation, charges were filed with the State

Attorney's Office for hauling waste tires without a permit, and hauling waste tires without placard/decal affixed to vehicle.

BREVARD COUNTY

While on patrol, Officer Lightsey observed a man fishing from the shoreline of the Indian River into the lagoon. After watching the man for some time, the officer approached and conducted a resource inspection. A check through FWC dispatch revealed that the man had a revoked hunting/fishing license since 2011 and had been informed multiple times of the revocation. A notice to appear was issued for the criminal offense of fishing/hunting on a revoked license.

COP (Community Oriented Policing)

Officer Arendas assisted Heroes on the Water at Lake Lizzy in Osceola County. Heroes on the Water is an organization that gets wounded veterans to go out on kayaks and fish. They are assisted by volunteers.

SOUTHWEST REGION

HIGHLANDS COUNTY

Officers Ervin and Demeter responded to a complaint concerning a subject in possession of a fawn deer in Sebring. The officers proceeded to the reported location and found a fawn deer at the residence. A female subject claimed she rehabilitated the deer then kept it as a pet for approximately two months. She received a notice to appear in court and the fawn was taken to a licensed wildlife rehabilitator.

Officers Ervin and Smith received a complaint that a person at a mobile home park in Lake Placid covered over numerous gopher tortoise burrows. Upon arriving at the location, the officers made contact with the park manager who admitted to covering the burrows. She stated she did not want the residents stepping in the holes. She was issued a notice to appear in court for the violations.

SOUTH REGION A

BROWARD COUNTY

During lobster mini-season, Officer Warne was on water patrol offshore in Fort Lauderdale when he observed a vessel with four subjects on board who were wearing wet suits and appeared to be diving. During a fisheries inspection, Officer Warne observed approximately 48 lobster on board the vessel. Upon closer inspection, he observed that one of the lobster was egg-bearing. The owner of the vessel admitted to

catching the egg-bearing lobster and was cited for such. The lobster was able to be returned to the water alive.

Officers Warne, Corteguera and Lieutenant Laubenberger responded offshore of Ft. Lauderdale in regard to a call for assistance from the Ft. Lauderdale Police Department (PD) Marine Unit. Ft. Lauderdale PD was with an individual on a kayak that was in violation of the spiny lobster laws. The officers arrived on scene and spoke with the Ft. Lauderdale PD officers. With information gathered, one individual that was diving for spiny lobster was given a criminal notice to appear for possession of over the bag limit and possession of undersized spiny lobster. Four lobsters were released back to the water alive.

Officers Corteguera, Warne and Lieutenant Laubenberger were on patrol offshore of Ft. Lauderdale when they stopped a vessel for a boating safety and marine fisheries inspection. The vessel contained spiny lobster. With information gathered, one individual was given a criminal notice to appear for possession of egg-bearing spiny lobster. The lobster had a very noticeable, large clutch of eggs. The lobster was released back to the water alive.

Officers Brock and Mirabel were on water patrol for lobster mini-season just inside Hillsboro Inlet. They stopped a vessel with dive gear on board and conducted a saltwater fisheries inspection. During their inspection, three egg-bearing spiny lobster were found on board the vessel. Two individuals on board the vessel were given criminal notices to appear for harvesting egg-bearing spiny lobster. The lobster were returned to the ocean alive.

Officers Brock and Mirabel were on water patrol for lobster mini-season in Pompano Beach. They observed a vessel with dive gear on board. During a saltwater fisheries inspection, an egg-bearing lobster was found on board the vessel. One individual on board the vessel was given a criminal notice to appear for harvesting egg-bearing spiny lobster. The lobster was released back to the water alive.

Officers Brock and Mirabel were on water patrol for lobster mini-season in the vicinity of Hillsboro Inlet. They observed a vessel with dive gear on board. A saltwater fisheries inspection of the vessel revealed lobster that were egg-bearing and had the eggs stripped off. One subject on board the vessel was cited for harvesting egg-bearing spiny lobster.

Officer Kuester and Lieutenant Harp were on water patrol during lobster mini season. Officer Kuester stopped a vessel coming into Hillsboro Inlet. The operator advised that they were heading home and that they had four lobster on board. The operator was asked to turn the lobsters over so Officer Kuester could inspect for eggs. During the inspection, Officer Kuester found an egg-bearing lobster. The operator was cited for possession of an egg-bearing lobster and the lobster was released alive.

Officer Albert was on vessel patrol just offshore of the Port Everglades Inlet, along with two US Coast Guard (USCG) boardings. They observed a vessel just outside the inlet displaying an illegally sized dive flag. They conducted a boating safety and marine fisheries inspection. Upon speaking to the three individuals on board, they relayed they were the only ones that were diving and no one else was diving or in the water. As Officer Albert was issuing the captain of the vessel a citation for an improper dive flag, another diver surfaced close to the vessel. This individual also belonged to the vessel Officer Albert was dealing with. The individual was in possession of a large dive bag filled with spiny lobster; he possessed a total of 25 spiny lobster, three of which were undersized. The vessel was escorted to USCG Station Ft. Lauderdale where FWC Officer Strader responded to assist. With information gathered, Officer Albert issued the last diver a criminal notice to appear for harvesting lobster over the bag limit and possession of undersized lobster. Thirteen, including the three undersized spiny lobster, were released back to the water alive.

GLADES COUNTY

Officer Taylor was on patrol in Glades County when he observed a truck with a large freezer in the bed. Officer Taylor followed from a distance and noticed the truck was headed toward a local alligator farm. Officer Taylor conducted a traffic stop of the truck for a license plate violation and found four men to be in possession of seven alligators, one of which was alive. The men claimed that they bought the alligators from another entity and were en route to the processing facility. The alligator processing permit the men were operating under allowed them to legally possess dead, tagged alligators only. Later in the encounter, Officers Alford and Greene arrived to assist. After further investigation, Officer Taylor found that two of the alligators weren't tagged as required, and that they did not have the appropriate permits to be in possession of the live alligator. Officer Taylor issued criminal citations for possession of untagged alligator and seized the live, 9-foot alligator. The investigation is on-going and further charges are pending on the buyer and seller for unlawful purchase/sale of alligator without appropriate permits and licensing.

Officer Greene was dispatched to a search and rescue on Fisheating Creek in Glades County. Two women had been kayaking earlier the previous afternoon, and as it got dark, became lost and were unable to make their way back to the campground. Officer Greene and Glades County Agriculture Investigator Gicker launched a boat and made their way through the winding creek to find the kayakers. Officer Greene safely transported the women and their dog back to the campground.

HENDRY COUNTY

Lieutenant Steelman received a call at her house from dispatch in reference to campers being stranded in OK Slough due to the heavy rain from a storm. Lieutenant Steelman responded and found the campers to be more scared than stranded. She helped them pack up their camp and got them on the way safely.

Officer Taylor was on patrol in Hendry County when he observed two trucks on private property parked near a small lake. As Officer Taylor entered the property, the trucks began exiting the area. Officer Taylor was able to establish some conflicting stories about their fishing activities on the property. A consensual search of a truck revealed a bucket that was wet and had fresh fish slime on it. Officer Taylor interviewed the two subjects and was able to gather the truth. The subjects saw him from the road and they got scared and hid the fish to keep the officer from finding them. Officer Taylor had the men escort him back to the lake and they led him down a trail to a cooler full of tilapia hidden in the bushes. Officer Taylor advised the men that the tilapia were legal to keep and both men let out a sigh of relief. However, Officer Taylor then advised the men that obstructing an FWC Officer from inspecting a catch was unlawful. Both men were issued citations for failure to allow inspection by an FWC Officer.

Officer McLendon was on off-road patrol in central Hendry County when he observed a subject on private property engaged in fishing. Upon further investigation, the subject did not have a fishing license or permission to be on the property. The subject also had unmarked turtle lines and was in possession of a soft-shell turtle out of season. The proper citations were issued and the turtle was returned to the environment alive.

MARTIN COUNTY

Officers Bergwerff and Moss were on water patrol in Martin County. As they were driving past Manatee Pocket in the St. Lucie River, they observed a sport fish boat passing in the opposite direction which had a subject urinating off the stern of the boat. They then turned around and made the vessel stop. While doing a boating safety check, the owner of the vessel told the officers they had been out for lobster. After completing the safety inspection, the officers conducted a fisheries inspection finding one egg-bearing lobster. They asked the vessel operator why he kept the egg-bearing lobster and he advised that he had been doing this his whole life and it was possible the lobster could have laid eggs while in the live well on the trip back in. The officers explained that that was impossible and issued the subject a citation for possession of egg-bearing lobster. The lobster was returned to resource alive.

PALM BEACH COUNTY

Officers Church, Wright, Godward, and Investigators McCarthy and Sierra witnessed two subjects spear fishing at the Boynton Beach Inlet North Jetty around the pier. The subjects hid their lobsters and spear guns underneath the pump house. Both subjects were charged with spearing lobster, no dive flag, spear fishing within 100 yards of a public pier, spear fishing within an inlet, refusing an FWC inspection, and interfering with law enforcement officer duties.

During inclement weather, Officers Alford, Toby, and Davis assisted Palm Beach County Sheriff's Office deputies in a search and rescue for a disabled bass boat with two subjects on board in the trails behind Boy Scout Cut on Lake Okeechobee. Both subjects and their vessel were found and brought to shore without injury.

Officer Toby put together a detail with Officers Davis and Alford at Canal Point targeting illegal methods of taking game fish. This detail resulted in two physical arrests, six misdemeanors, and two fishing license infractions.

South Region Environmental Investigators participated in a joint detail with USCG conducting a Government-Initiated Unannounced Exercise required by federal regulations at USCG- regulated bulk liquid transfer facilities. The purpose of the exercise is to assess the facilities notification and equipment deployment during the most probable discharge. The detail will help assist in response preparedness by the public and proper notifications made to FWC and other agencies we mutually work with. The scenario presented in the exercise had a fictitious vessel (M/T SPILLINA) that was conducting transfer operations of No.2 fuel oil to the Florida Power and Light (FPL), Riviera Beach Energy Center. During the transfer operation, the mooring lines broke free, and created a large tear in the transfer hose, from which 30 barrels of No. 2 fuel oil shot out over the containment boom and into the Intracoastal Waterway. FWC Investigators Luher and Rubio, as well as DEP regulatory personnel Brijette Bucell and DEP Office of Emergency Response's Jeremy Vincent participated. Numerous USCG personnel from Miami, Ft. Lauderdale and Lake Worth participated in this MOCK unannounced exercise. FWC investigators reviewed FPL's contingency plans for response to the environmental resources (manatees, sea turtles and sea grasses). This exercise took five and half hours and was a success.

SOUTH REGION B

COLLIER COUNTY

Officer Futch participated in a detail along with law enforcement personnel from the National Park Service targeting night hunting in the Big Cypress National Preserve. From a concealed location, the officers observed subjects displaying a light from a vehicle capable of disclosing the presence of wildlife. Upon further investigation, the subjects were found to be in possession of a venomous snake they had removed alive from within the preserve. The case was turned over to the National Park Service for further disposition.

Because of record rainfalls which caused extreme flooding in the downtown Naples area, FWC Officers were called by the Naples Police Department (NPD) to assist with stranded motorists and numerous traffic concerns because of the rising flood waters. Officers Johnson, Miller and Thurkettle were the first to respond with their 4-wheel drive patrol vehicles. The officers met with NPD where they began to evacuate stranded victims, many of whom were elderly and in fear of drowning. Officers had to carry elderly victims from their cars to safe locations. Officers Lugg and Van Trees arrived and helped with traffic control; they had to shut down a street leading to a local school that was flooded. At times, the officers helped carry children since vehicles could not make it onto the school property. The NPD was extremely thankful for the help in such a quick and professional manner.

Ten Collier County officers traveled to Monroe County to assist with the Lobster Mini Season. Officers conducted both plainclothes and uniform patrol making several arrests to include violations for undersized lobster, speared lobster, over the bag limit and an active warrant. Additionally, officers responded and assisted with a fatal boating accident.

MIAMI-DADE COUNTY

Officer Pino hosted members of the media at the Miami Office for the annual Lobster Mini Season press conference. The press conference was a complete success as all the local TV stations and the Miami Herald attended.

MONROE COUNTY

Several officers participated in the National Night Out campaign in several locations throughout the Keys. Officers teamed up with local police agencies and first responders to show the community their specialized equipment and to meet the local stakeholders.