

# GULF OF MEXICO COOPERATIVE LAW ENFORCEMENT OPERATIONS PLAN

2007-2008



October 2006

GSMFC No. 142

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**GULF OF MEXICO  
COOPERATIVE LAW ENFORCEMENT  
OPERATIONS PLAN  
2007-2008**

By the

Gulf States Marine Fisheries Commission  
Law Enforcement Committee

And

Gulf of Mexico Fishery Management Council  
Law Enforcement Advisory Panel

Edited by  
Steve VanderKooy

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Supplement to:  
Gulf of Mexico Cooperative Law Enforcement  
Strategic Plan  
2005-2010

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## Goals and Objectives

**GOAL 1: Provide professional law enforcement expertise throughout rule-making processes.**

*Professional law enforcement expertise and input are integral to the development and promulgation of clear and effective regulations.*

**Objective 1.1** – Increase participation in the Gulf States Marine Fisheries Commission (GSMFC) and Gulf of Mexico Fishery Management Council (GMFMC) processes.

- Attend LEC and LEAP meetings in conjunction with GSMFC and GMFMC meetings.
- Conduct a LEAP meeting during GMFMC meeting to increase visibility and discourse on enforcement issues.
- Conduct a summer work session to continue strategic and operations plan activities and opportunistic discussion of enforcement hot topics.
- Evaluate current GSMFC and GMFMC regulatory recommendations/actions.
- Assist in the development of interjurisdictional state and federal management plans.
- Provide timely and substantive comment on GSMFC and GMFMC actions.

### **Continuing Tasks**

Task 1. The LEC/LEAP will attempt to attend all scheduled monthly meetings of the GSMFC and GMFMC and schedule LEC/LEAP meetings in concert with the GSMFC spring and annual meetings: Monday afternoon – LEC meeting; Tuesday morning – LEAP meeting; Tuesday afternoon – informal work session. An informal session would allow for opportunistic discussion of current regional enforcement issues.

Task 2. The chairmen of the LEC/LEAP will convene monthly conference calls and request discussion items from the membership (upcoming proposals and law enforcement issues) and track previous agenda items to ensure completion.

Task 3. Meeting agendas will be developed based upon monthly conference calls, upcoming law enforcement topics, and issues pertinent to GSMFC and GMFMC business.

Task 4. The chairmen of the LEC/LEAP will ensure members of the LEC/LEAP have the agendas and briefing books for Commission and Council meetings as soon as possible prior to the meeting including copies of any FMPs being developed, amended, or otherwise modified by the GSMFC and/or GMFMC.

Task 5. The chairmen of the LEC/LEAP will consult the members and coordinate input to the GSMFC and/or GMFMC on law enforcement issues pertinent to FMP development and implementation.

Task 6. Summer and winter work sessions should be held to continue strategic planning, implementation, and review of yearly enforcement operations. Work Sessions would allow continued JEA Program discussion and opportunistic coordination and discussion of regional operations.

Task 7. Meetings will take place with GSMFC/GMFMC staff and interested representatives to discuss law enforcement data pertinent to regulatory consideration and provide recommendations.

**Objective 1.2** – Strengthen enforcement’s relationships with the GSMFC and GMFMC.

- Support communication between enforcement and GSMFC commissioners and GMFMC members.
- Provide bi-annual operating plans and interim/annual reports.
- Act as liaison between all law enforcement agencies and GSMFC commissioners and GMFMC members.

### **Continuing Tasks**

Task 1. The chairmen of the LEC/LEAP will ensure GSMFC and GMFMC rosters and subsequent updates are distributed to the LEC/LEAP members.

Task 2. The chairmen of the LEAP will ensure that the current GMFMC *Standard Operating Plan* is distributed to the members of the LEAP as needed.

Task 3. The chairmen of the LEC will ensure that the current GSMFC *Rules and Regulations* is distributed to the members of the LEC as needed.

Task 4. The LEC/LEAP will provide information, guidance, and representation between all law enforcement agencies and the GSMFC/GMFMC.

**Objective 1.3** – Identify existing regulations that are either effective, ineffective, or inconsistent.

- Eliminate or modify ineffective and/or unnecessary regulations.
- Promote statutory and regulatory consistency among all state and federal agencies.
- Support the development of “user friendly” regulations.
- Provide expertise as requested by state or federal agencies.
- Identify enforcement workload impact and cost-analysis.
- Identify tools and technologies that provide effective enforcement measures.

### **Continuing Tasks**

Task 1. The LEC/LEAP will meet with the GSMFC/GMFMC to discuss enforceability and provide data pertinent to rules and regulations and proposed changes.

Task 2. The chairmen of the LEC/LEAP, with the support of its membership, will provide oral and written comments for the record, when appropriate, at state and federal hearings. Members may provide independent comment at those hearings, when appropriate.

Task 3. The LEC/LEAP will review respective state/federal laws and regulations applicable to interjurisdictional fisheries or relating to interstate transportation of seafood and being considered for consistency.

Task 4. The LEC/LEAP will, as appropriate, participate in relevant state and federal legislative agendas.

Task 5. The chairmen of the LEC/LEAP will place current legislative topics on the monthly conference call agenda for discussion.

Task 6. The LEC/LEAP will identify regulatory enforcement concerns and report to the GSMFC and GMFMC.

Task 7. Available enforcement tools and technologies will be researched and discussed as a continuing agenda item at semi-annual LEC/LEAP meetings.

### **New Task**

Task 1. Coordinate and request meetings with the GMFMC Socio-Economic Panel to discuss the cost analyses associated with enforcement of regulations. Invite NOAA economists to attend and provide input.

Task 2. Identify and present issues associated with unfunded enforcement mandates to the GMFMC.

### **GOAL 2: Develop and implement effective educational programs.**

*A cooperative interface between state and federal partners and the public is essential to maximize resources in order to achieve Gulf-wide regulatory compliance.*

**Objective 2.1** – Improve community-oriented policing programs.

- Continue to implement and establish joint programs to increase contact and law enforcement presence among user groups.
- Continue to publicize different state and federal actions through mass media.
- Establish user group feedback programs to evaluate enforcement performance.

## **Continuing Tasks**

Task 1. The LEC/LEAP will review and evaluate the means to combine successful programs and program elements into current state and federal efforts.

Task 2. The LEC/LEAP will explore options and mechanisms to establish joint programs between state/state and state/federal agencies.

Task 3. The LEC/LEAP will review successful public affairs' programming in other local, state, and federal law enforcement agencies for potential application to LEC/LEAP efforts.

Task 4. The LEC/LEAP will identify and develop methods to obtain user group feedback (including surveys) on enforcement performance.

***Objective 2.2*** – Promote gulf-wide information programs.

- Identify and continue to provide web-based services for fishermen and the public to easily obtain current state/federal regulations.
- Encourage the GSMFC and GMFMC to develop mechanisms to compile up-to-date state/federal regulations into an understandable guide.

## **Continuing Task**

Task 1. The LEC/LEAP will continue to supply current URL information to maintain the enforcement portion of the GSMFC web page (*Regulations* button) linking member states and federal agencies regulatory web pages.

## **New Tasks**

Task 1. The LEAP will invite Rod Dalton, SERO, St. Petersburg, Florida to a GMFMC meeting to discuss federal regulations at the October 2006 meeting.

Task 2. Develop an inventory of all community outreach activities in the Gulf region.

Task 3. Pursue grant funding for law enforcement related public service announcements to engage, advise, and inform individuals, partners, communities, and industries to facilitate information flow, assure coordination and cooperation, and provide assistance in the use, evaluation, and application of information.

***Objective 2.3*** – Enhance awareness of the importance of state and federal prosecution to the successful adjudication of natural resource regulations.

- Continue outreach to prosecutors and litigators.
- Identify mechanisms to meet with prosecutors and litigators.



### **Continuing Tasks**

Task 1. The LEC/LEAP continues to identify relevant judicial entities involved in marine resource violation adjudication.

Task 2. NOAA GC continues to serve as a repository for briefs, case laws, etc. State input continues.

### **GOAL 3: Promote cooperative law enforcement partnerships.**

*A cooperative interface is essential to maximize resources in order to achieve gulf-wide regulatory compliance.*

**Objective 3.1** – Maintain cooperative enforcement agreements (CEAs), joint enforcement agreements (JEAs), and reciprocal agreements among the states and federal agencies.

- Whenever appropriate, provide comments in support of CEAs, JEAs, and reciprocal agreements to state and federal representatives.
- Promote the streamlining of processing and tracking JEAs.
- Ensure annual state and federal law enforcement needs are reflected within CEAs and JEAs.

### **Continuing Tasks**

Task 1. The LEC/LEAP will provide input to the NOAA Office of Law Enforcement (OLE) concerning methods to streamline JEAs.

Task 2. The LEC/LEAP will work with NOAA OLE to develop standardized formulas (man hours, vessel hours, etc.) for JEAs.

Task 3. The chairmen of the LEC/LEAP will request that NOAA OLE provide the membership with a list of all JEAs and funding levels.

Task 4. The LEC/LEAP will provide input and support to NOAA OLE concerning current allocation models.

Task 5. Work to improve software for the JEA program to include consistency of data reporting, specific data elements, and vessel categories.

Task 6. Working with NOAA OLE, identify specific goals and milestones that must be met under the JEA Program.

**Objective 3.2** – Seek and share information on federal programs supporting state law enforcement.

- Obtain law enforcement training for states.
- Seek law enforcement equipment for states.
- Enhance communication on homeland defense issues.

### **Continuing Tasks**

Task 1. The chairmen of the LEC/LEAP will request lists of enforcement training and equipment available from state and federal agencies.

Task 2. The LEC/LEAP will identify and evaluate funding sources applicable to law enforcement training and equipment.

Task 3. Continue to send a LEC/LEAP representative to the Gulf of Mexico Safety Committee meetings.

Task 4. Continue to press for a communication system to improve communication ability and compatibility between agencies under all conditions.

***Objective 3.3*** – Explore a uniform enforcement data collection and reporting system.

- Evaluate available technology.
- Identify funding sources.
- Analyze and distribute information.
- Explore the availability of the Federal Bureau of Investigation’s National Crime Information Center (NCIC) as a point source for natural resource violations.

### **Continuing Tasks**

Task 1. The chairmen of the LEC/LEAP will continue to work towards the inclusion of fisheries violations (criminal and civil) into the NCIC database.

Task 2. The chairmen of the LEC/LEAP will request vendors provide specifications and demonstrations of available data collection technology and equipment.

Task 3. The chairmen of the LEC/LEAP will research federal grants to support enforcement data collection and reporting.

Task 4. The LEC/LEAP will prioritize available technology for data collection based on job safety and job effectiveness.

***Objective 3.4*** – Plan and analyze law enforcement effort and performance.

- Conduct semi-annual state/federal strategic plan work sessions to evaluate progress and determine milestones.
- Conduct state/federal law enforcement meetings concerning joint gulf-wide programs and operations.

- Explore tools and methodologies to chart performance.
- Ensure law enforcement program development in support of fisheries management plans.

### **Continuing Tasks**

Task 1. The chairmen of the LEC/LEAP will request funding and convene semi-annual cooperative law enforcement strategic plan work sessions at times and locations acceptable to the membership.

Task 2. The chairmen of the LEC/LEAP will request that the GSMFC provide staff and a meeting room for a full-day work session following the regularly-scheduled LEC/LEAP meeting

Task 3. The chairmen of the LEC/LEAP will request vendors provide specifications and demonstrations of available data collection technology.

### **GOAL 4: Promote regulations to protect and enhance the health and sustainability of the ecosystem.**

*Ecosystem health and sustainability is the foundation for a viable living marine environment in the Gulf of Mexico. Regulations that manage, protect, and conserve the ecosystem are critical to maintain its health and sustainability now – and in the future.*

**Objective 4.1** – Share information to ensure the highest quality of biological data to support ecosystem sustainability.

- Support the inclusion of law enforcement statistics and other information in scientific modeling plans.
- Identify negative impacts of noncompliance to living marine resources.
- Identify and evaluate law enforcement strategies to address unique ecosystem enforcement challenges.

### **Continuing Tasks**

Task 1. The LEC/LEAP will invite select NMFS fisheries managers and scientists to discuss how law enforcement statistics are incorporated into scientific modeling plans.

Task 2. The LEC/LEAP will invite U.S. Ocean Commission representatives to provide an overall review of research as a component of the ecosystem sustainability.

Task 3. The LEC/LEAP will develop recommendations.

Task 4. Provide input when regulations are being implemented based on eco-system management.

## **New Tasks**

Task 1. Invite a member from the U.S. Ocean Commission to attend the March 2007 LEC meeting.

### **GOAL 5: Protect the American consumer.**

*Ensure the American consumer is receiving a legal and properly identified aquatic product regardless of where harvested.*

**Objective 5.1** – Ensure the integrity of imported fisheries products.

- Identify illegal fisheries products.
- Identify participants of illegal interstate trade.
- Support enhanced development of documentation for imported fisheries species.
- Work cooperatively with other state and federal law enforcement agencies to identify and apprehend traffickers in illegal international trade.

## **New Tasks**

Task 1. The chairmen of the LEC/LEAP will invite representatives from the FDA and the U.S. Customs and Border Department to explain regulations and documentation necessary for imported fisheries products.

Task 2. The LEC/LEAP will research and support a Gulf-wide interjurisdictional task force to ensure the integrity of fisheries products.

**Objective 5.2** – Protect consumers regarding mislabeled or adulterated product.

- Work with partner agencies in using forensic tools to improve fisheries law enforcement capabilities.
- Identify persons who provide mislabeled or adulterated products.
- Support enhanced development of documentation for all marine species.

## **Continuing Tasks**

Task 1. The LEC/LEAP will explore development and use of forensic technology in fisheries enforcement

Task 2. The LEC/LEAP will identify current forensic resources, laboratories, species-specific and other capabilities, and contact information.

Task 3. The LEC/LEAP will identify current documentation requirements used for marine species.

## **GOAL 6: Obtain funds to aid state and federal law enforcement agencies.**

*State and federal agencies do not have sufficient resources or assets to provide continuous support of state/federal marine resource enforcement operations.*

**Objective 6.1** – Obtain adequate funding for the strategic planning process and greater representation of the LEC and LEAP at GSMFC and GMFMC meetings.

- Seek funding from the GSMFC and GMFMC for the LEC and LEAP to attend the GSMFC spring and annual meetings; the LEAP to attend GMFMC meetings twice per year; and the LEAP Chairman to attend all GMFMC meetings.

### **Continuing Task**

Task 1. The chairmen of the LEC/LEAP will request funding assistance from the GSMFC and GMFMC to conduct law enforcement meetings to accomplish the *Strategic Plan*. When possible, these meetings will be held in conjunction with other LEC/LEAP meetings.

**Objective 6.2** – Explore federal grant and funding programs for law enforcement.

- Identify and evaluate law enforcement grant and funding programs.
- Promote adequate long-term funding for JEAs.
- Promote and seek funding for a gulf-wide marine enforcement communication system.

### **Continuing Tasks**

Task 1. The LEC/LEAP will research, identify, track, and discuss grant and funding opportunities for marine research enforcement.

Task 2. The LEC/LEAP will discuss potential funding sources and identify appropriate processes to obtain funds.

Task 3. The LEC/LEAP will request GSMFC/GMFMC assistance in using their resources and expertise to seek funding for state law enforcement programs.

Task 4. The LEC/LEAP will arrange to meet with state and federal legislators and/or committees to request support for grant and funding initiatives, as appropriate.

Task 5. The LEC/LEAP members will initiate and maintain contact with each state's respective Congressional delegation or their aides to determine the status of potential enforcement issues.

## **New Tasks**

Task 1. Pursue funding for a communication system to improve communication ability and compatibility between agencies under all conditions.

Task 2. Pursue funding for law enforcement related public service announcements to engage, advise, and inform individuals, partners, communities, and industries to facilitate information flow, assure coordination and cooperation, and provide assistance in the use, evaluation, and application of information.

***Objective 6.3*** – Develop a mechanism to procure funding for marine resource enforcement for the Gulf States to offset the U.S. Coast Guard’s (USCG) homeland security mission.

- Evaluate the rededication of the USCG fisheries enforcement assets to homeland security missions as identified by the General Accounting Office (GAO-03-544T).
- Identify and evaluate the overall adverse impact on the Gulf States due to the reduction of USCG fisheries enforcement.

## **Continuing Tasks**

Task 1. The LEC/LEAP will arrange to meet with state and federal legislators and/or committees to increase funding for state agencies.

Task 2. The LEC/LEAP will discuss additional workload indicators as a result of the reduction in U.S. Coast Guard fisheries enforcement.

Task 3. Continue developing management strategies to include funding for personnel and vessels for offshore patrols.





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