

Update to Law Enforcement Precepts



Goal: Update existing Law Enforcement Precepts document to capture new/emerging issues and validate baseline enforcement considerations to assist the Council in its decision-making. Emerging issues outlined as follows:

Electronic Monitoring

Background: Expanded use of EM as an additional data collection tool offers additional advantages, but it also requires development of roles/ policies/ costs linked to emerging EM technology, as was done for the observer program.



Electronic Monitoring

Enforcement-related focus areas:

- Data validity/accuracy from a legal standpoint. Data collected by EM must meet standards for use in compliance function. Example (GPS location stamping) – VMS is proven, accepted system; EM technology is developing.
- **Enforcement** equities – tamper proof systems, consent/ access for enforcement use, admissibility

Further Considerations:

- Cost for review of data for compliance (on shore) will be significant. How is agency going to address those costs?
- Case Example: American Seafoods Flowscale Video review

Electronic Monitoring

Ask:

- Continue to encourage enforcement participation in EM workgroup as systems/policies mature and develop.
- Consider continued/expanded use of proven VMS system as a component of EM when positioning data is necessary.
- Compliance cost considerations?

IUU/Traceability

Background: IUU – Port State Measures, Presidents Task Force, and IUU Legislation recently signed, will have a positive impact for US consumers and fishermen.

- “Traceability is the next step” Administrator Sobeck
- Russian IUU crab alone has cost Alaska Bering Sea Crab Fishermen up to \$560 million according to UFA estimate .
- Oceana’s Salmon Fraud report on mislabeled salmon products at seafood counters and restaurants



IUU/Traceability

Needs of enforcement:

- Enhanced LE Authorities to combat problems
 - Inspection throughout the Supply Chain
 - Inspection of records related to trade of fish and fish products throughout the Supply Chain
 - Investigative subpoena authority (mirror Halibut Act)
 - Prohibition on the possession, sale, purchase, etc of illegally trafficked fish or fish product, fraudulent labeling throughout the supply chain

IUU/Traceability

Ask: Consider support as Agency makes proposals as part of MSA reauthorization process, or other legislation.

BOX #	899973	DATE(YDDD)	5288	4674
SPECIES	Sablefish		SUB SPECIES	
SIZE	4-5		GRADE #1	
PROCESS	EasternCut		PRESERVED IQF	
COLOR			CAUGHT Long Line	
PACKAGE SIZE			MISC.	
NET WT. 00050LBS/ 22.68KG 007 FISH				
Alaska Pacific Seafoods 151067 Kodiak, Alaska 99615 Wild Product of USA				
AK#66	CFN#CFN#301487			

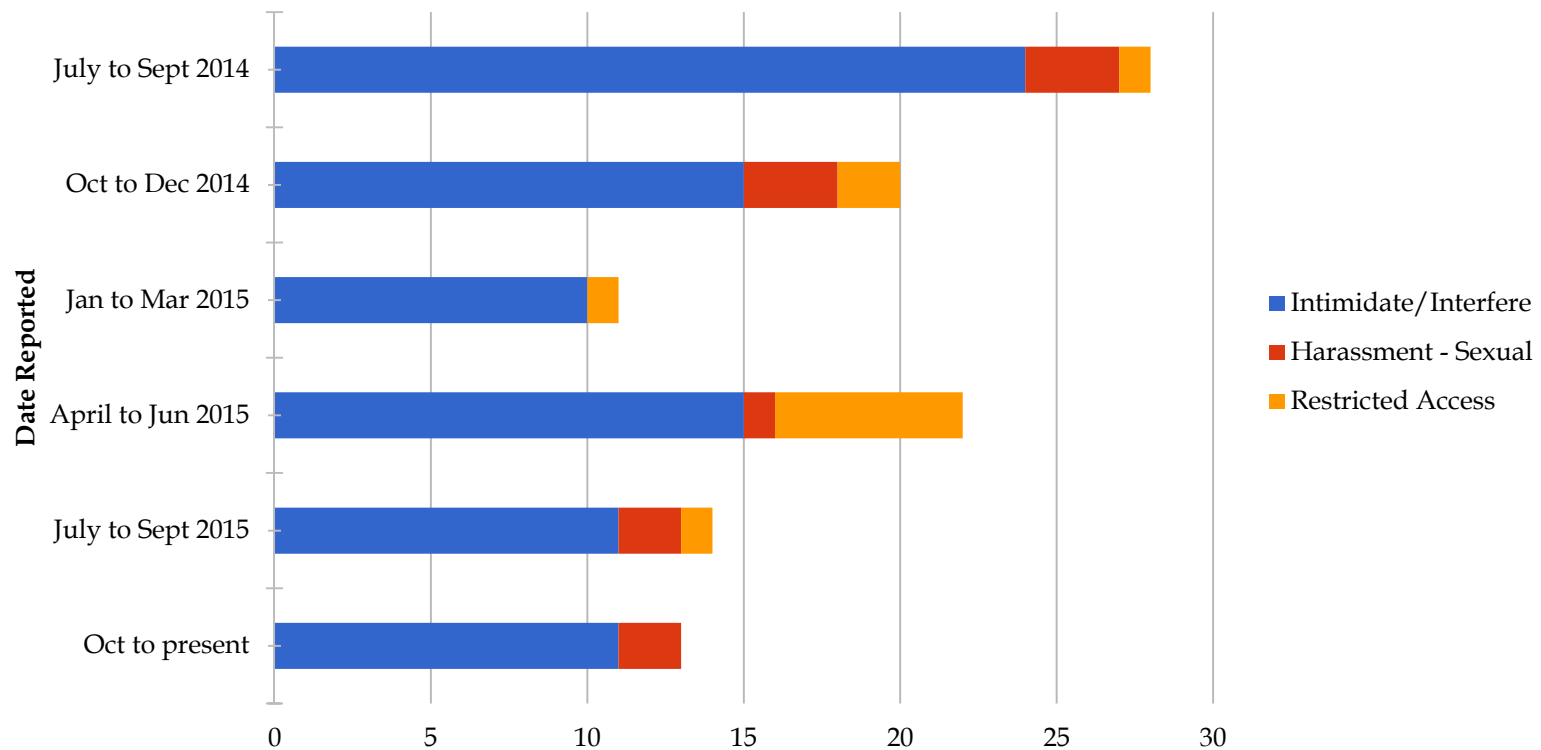
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RFM# RFM-C-0011

Observers

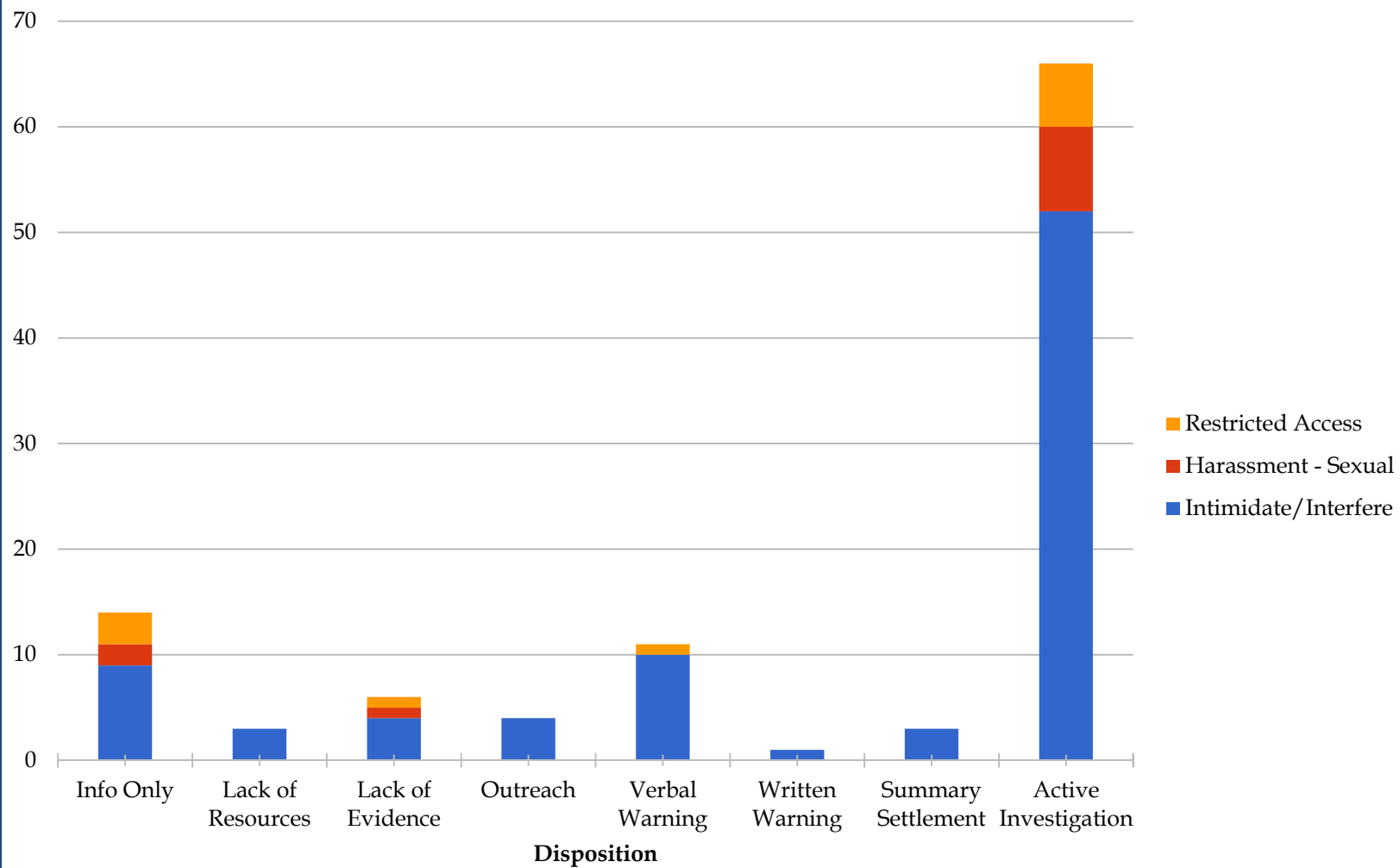
Background: FMP measures can create a dependence on observer data and contribute to added tensions between onboard observers and vessel operators and managers. Data shows that this dynamic is present in some Alaskan fisheries.

Intimidation/Interference, Sexual Harassment, Restricted Access



Observers

Observer Statement Dispositions



Observers

Ask:

- Compliance tools and programs designed to support strong observer safety, work environments, work areas, and data accuracy/integrity
 - ✓ Strong communications with observers (ATLAS) at sea to promote timely enforcement response, observer program support, and data transmission
 - ✓ Vessel logbooks on all observed vessels
 - ✓ Sample area and deck video monitoring
 - Provide observers a tool to minimize sample bias
 - Provide enforcement evidence of violations

Questions

