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:
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.
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?
**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.

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Alaska Pacific Seafoods 151067
Kodiak, Alaska 99615 Wild Product of USA

AK#66 CFN#CFN#301487
**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.
Observers

Observer Statement Dispositions

- Info Only
- Lack of Resources
- Lack of Evidence
- Outreach
- Verbal Warning
- Written Warning
- Summary Settlement
- Active Investigation

- Restricted Access
- Harassment - Sexual
- Intimidate/Interfere

Dispositional Graph

December 2015
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