

GULF OF MEXICO

Cooperative Law Enforcement Strategic Plan 2005-2010 & Operations Plan 2005-2006



Expertise and input from law enforcement

Cooperative interface for state and federal partners

Maximizing resources to achieve gulf-wide regulatory compliance



Ecosystem health and sustainability through regulations that manage, protect, and conserve

Legal and properly-identified aquatic products for the American consumer

Resources to provide continuous support of state/federal marine resource enforcement



**GULF OF MEXICO
COOPERATIVE LAW ENFORCEMENT
STRATEGIC PLAN**

2005-2010

by the

Gulf States Marine Fisheries Commission
Law Enforcement Committee

and

Gulf of Mexico Fishery Management Council
Law Enforcement Advisory Panel

edited by
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Introduction

Current state and federal regulatory approaches require development and implementation of concurrent law enforcement strategies. Concerns over ocean ecosystems, living marine resources, coral reefs, coastal habitat conservation, and international fisheries have escalated law enforcement responsibilities throughout the Gulf of Mexico. The foundations of fishery management plans are dependent upon sound regulations and the ability to maintain acceptable levels of compliance. The role of law enforcement in the fishery management process is to provide guidance to ensure effectiveness, consistency, and enforceability of proposed and adopted regulations.

Understanding the complexities of fisheries management regulations by the public and user groups requires enhanced interaction and communication by enforcement. Effective education and outreach programs by enforcement will increase public trust and awareness maximizing voluntary compliance and identifying illegal activity.

This long-term *Gulf of Mexico Cooperative Law Enforcement Strategic Plan* maximizes the effectiveness of interjurisdictional and international fisheries enforcement. This is accomplished by identifying priorities, developing comprehensive planning efforts, and conducting gulf-wide operations.

Vision Statement

Improve regulations and increase compliance through cooperative law enforcement efforts which enhance, protect, and conserve ocean ecosystems and living marine resources throughout the Gulf of Mexico for the safe use and enjoyment of present and future generations.

Mission Statement

Law enforcement is dedicated to providing professional guidance and expertise to the Gulf States Marine Fisheries Commission and the Gulf of Mexico Fishery Management Council. We are committed to improving regulatory compliance through cooperative efforts that enhance, protect, and conserve shared living marine resources and their supporting ecosystems throughout the Gulf of Mexico.

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.
- 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.

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.

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.

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.

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, multilingual guide.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

OPERATIONS PLAN 2005-2006

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.
- 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.

Task 2. The chairmen of the LEC/LEAP will convene monthly conference calls to discuss upcoming proposals, law enforcement issues, and track law enforcement agenda items to ensure completion.

Task 3. 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 and any interested members will provide written responses on law enforcement issues pertinent to FMPs.

Task 6. When appropriate, meetings will take place with GSMFC/GMFMC staff and interested representatives to discuss law enforcement data pertinent to regulatory consideration.

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 participate in relevant state and federal legislative agendas, as appropriate.

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

New Tasks

Task 1. The LEC/LEAP will identify regulatory enforcement concerns and report to the GSMFC and GMFMC.

Task 2. The LEC/LEAP will invite the appropriate NMFS representative(s) to attend a meeting to discuss the format of codified regulations and how to make those regulations more “user friendly.”

Task 3. The LEAP will request a joint meeting with appropriate GMFMC panel(s) to discuss enforcement cost analysis and incorporation into FMPs.

Task 4. Available enforcement tools and technologies will be researched and discussed as a continuing agenda item at semi-annual LEC/LEAP meetings.

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 will continue development and implementation of the enforcement portion of the GSMFC web page pertaining to the LEC/LEAP, vessel safety, regulations, and marine enforcement alerts.

New Tasks

Task 1. The LEC/LEAP will identify state and federal community-oriented enforcement programs.

Task 2. The LEC/LEAP will identify individuals and regional and local groups who can assist in communicating enforcement information to user groups.

Task 3. The LEC/LEAP will review and evaluate the means to combine successful programs and program elements into current state and federal efforts.

Task 4. The LEC/LEAP will explore options and mechanisms to establish joint programs between state/state and state/federal agencies.

Task 5. 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 6. 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 Tasks

Task 1. The LEC/LEAP will continue the development and implementation of the enforcement portion of the GSMFC web page pertaining to the LEC/LEAP, vessel safety, regulations, and marine enforcement alerts.

New Tasks

Task 1. The LEAP will invite the appropriate GMFMC and NMFS personnel to discuss publication of federal regulation pamphlets.

Task 2. The LEAP will request the GMFMC provide continuous web-based updates of federal regulations and openings/closings of seasons.

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 will identify relevant judicial entities involved in marine resource violation adjudication.

Task 2. The LEC/LEAP will identify informational mechanisms to promote prosecutorial and judicial education of illegal activities and their effects on marine resources, user groups, and public safety.

Task 3. The LEC/LEAP will develop informational mechanisms to promote prosecutorial and judicial education of illegal activities and their efforts on marine resources, user groups, and public safety.

New Tasks

Task 1. The chairmen of the LEC/LEAP will provide activity updates to the membership as a continuing agenda item.

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.

New 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.

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.

New Tasks

Task 1. The LEC/LEAP will send a representative to the Gulf of Mexico Area Maritime Security Committee meetings.

Task 2. The LEC/LEAP will support development and implementation of a gulf-wide enforcement communication system.

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.

New Tasks

Task 1. The chairmen of the LEC/LEAP will contact the Department of Homeland Security for 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.

New 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.

New 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.

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.

New 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.

Continued Tasks

Task 1. The chairmen of the LEC/LEAP will request, in writing, 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.

Continued 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.

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.

New 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.