

Law Enforcement Review

(Tautog Enforcement Efforts 2006/07 and a review of proposals along with LEC Recommendations)

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The following brief was part of a power point presentation to the Tautog Management Board at the summer 2007 meeting in Alexandria, Virginia. It incorporates the collective thoughts and of the law enforcement committee along with field officers perspective and is a supplement to the May 22, 2007 letter to the board on regulatory proposals for tautog. (Attached)

Precepts of Effective Law Enforcement

- Easily understood rules and regulations
- Easily enforced
- Public education and perception
- Penalties sufficient to deter violations
- Enforcement through high visibility inspections at all levels of catching sale and possession.
- Covert monitoring to validate compliance

Geographic Areas of Concern

- **Primary areas of concern** are New Jersey, New York, Connecticut, Massachusetts, and Rhode Island.
- **Minor areas** are Delaware, Maryland and Virginia.
- **Other areas** targeted are states outside of producer areas that may be retailing illegal catches, such as Pennsylvania and the District Of Columbia.

Law Enforcement Results 06/07

- **Increased emphasis on tautog law enforcement by all states**
- **Cooperative efforts**- Interstate cooperation on dealer monitoring. (DC/Arlington VA case involving a dealer, undersize fish and reporting issues that originated in NY and NY)
- **Rhode Island** has reported no serious problems with tautog enforcement, but has increased awareness to the field for potential problems.
- **Massachusetts** has reported no commercial violations recently and only a few recreational size violations.
- **Connecticut** has only noted a handful of infractions for undersize tautog thus far this year, all in the recreational sector.

- **New York** Has a very aggressive and intense enforcement effort to curb illegal catching, possession and sale at all levels of the fishery. Updated checks at restaurants this summer show no significant problems. Checks will continue into the primary recreational season this fall.
- **New Jersey** reports that violations are about the same as last year. Mostly recreational/charter involving dead undersize or bag limit violations. One major interstate case made on a dealer. Request for a major fine increase has been proposed. New Jersey also has a cooperative program with NJ anglers Assoc and RFA to educate fisherman.
- **Delaware, Maryland and Virginia** all report that they have reassessed the tautog fisheries in their areas and have found no significant fishery or problems with enforcement or compliance. All report occasional size violations.

Regulatory Proposals-Recreational fisheries

- **Restricting the possession of live fish**- The LEC has thoroughly discussed this proposal and does not believe it is a necessary or effective tool at his time, especially if it only applies to one sector of the fishery such as the recreational sector. Likewise tagging commercial fish may become a cumbersome process and require resources not currently available to implement or enforce.
- **V-notching recreational fish either alive or dead**. The LEC does not believe this is an effective tool for increasing compliance in this fishery.
- **Expanding closed seasons** are enforceable and easily understood
- **Size and creel limits** are enforceable and easily understood.

Conclusions

- **Law enforcement efforts** are reducing violations in areas of concern. Overall, on a coast-wide basis there is not a significant law enforcement concern over compliance in the rec/com or live/dead mkts. The LEC will continue to aggressively enforce existing regulations to improve compliance in those areas where there appear to be a high rate of violations. This trend will be examined after the primary fall seasons.
- **Regulatory proposals** to prohibit live tautog possession will not significantly assist law enforcement efforts.
- **Should additional restrictions** on harvest be necessary at this time, the LEC recommends further restricting seasons, size and creel limits.