

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.

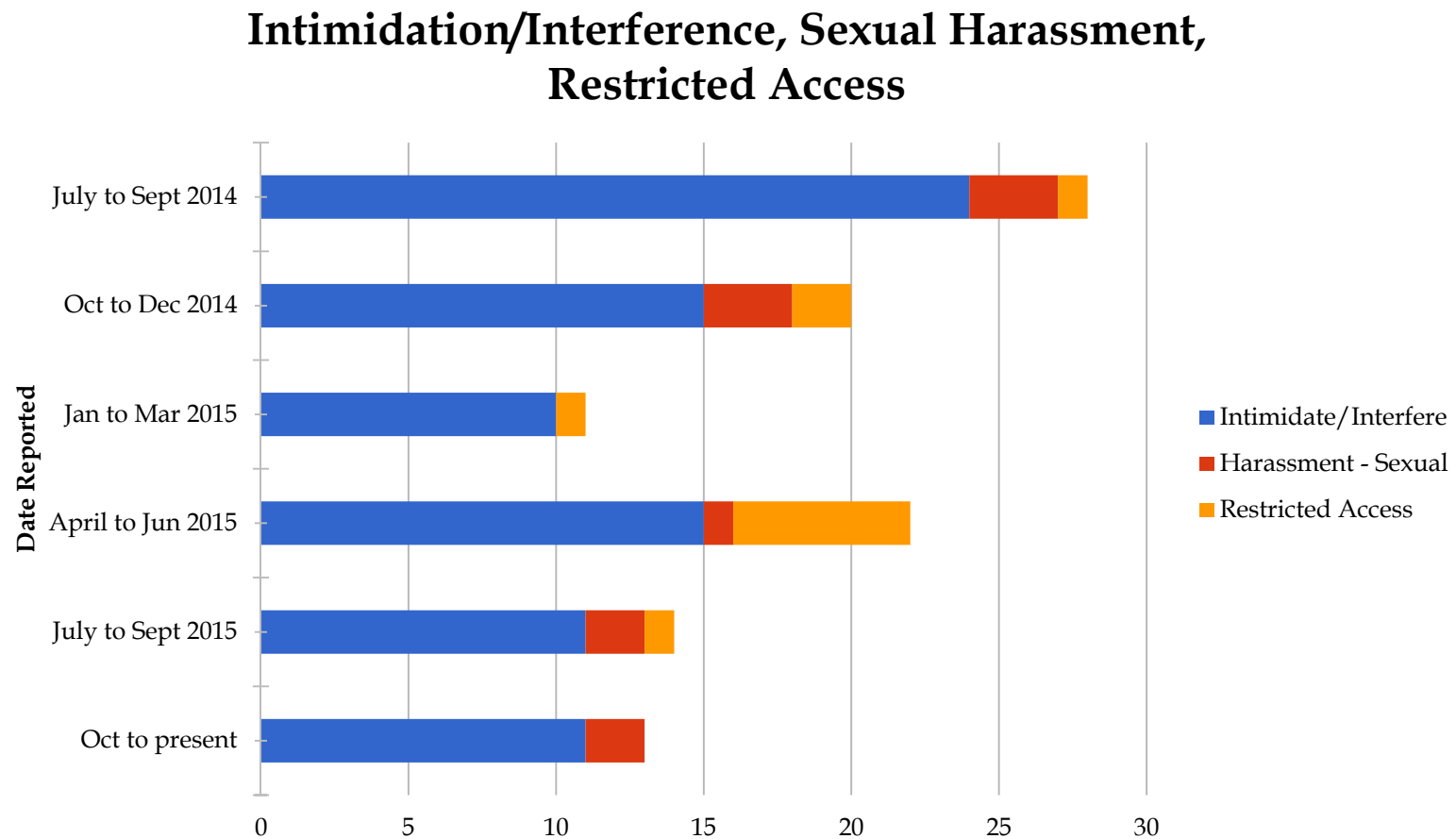
BOX #	899973	DATE(YDDD)	5288	4674
SPECIES	Sablefish		SUB SPECIES	
SIZE	4-5		GRADE	
PROCESS	EasternCut		PRESERVED	
COLOR			CAUGHT	
PACKAGE SIZE			MISC.	
NET WT. 00050LBS/ 22.68KG 007 FISH				
Alaska Pacific Seafoods 151067 Kodiak, Alaska 99615 Wild Product of USA				
AK#66 CFN#CFN#301487				

Barcode: 89997352884674007000501

MSC# MSC-C-50048
RFM# RFM-C-0011

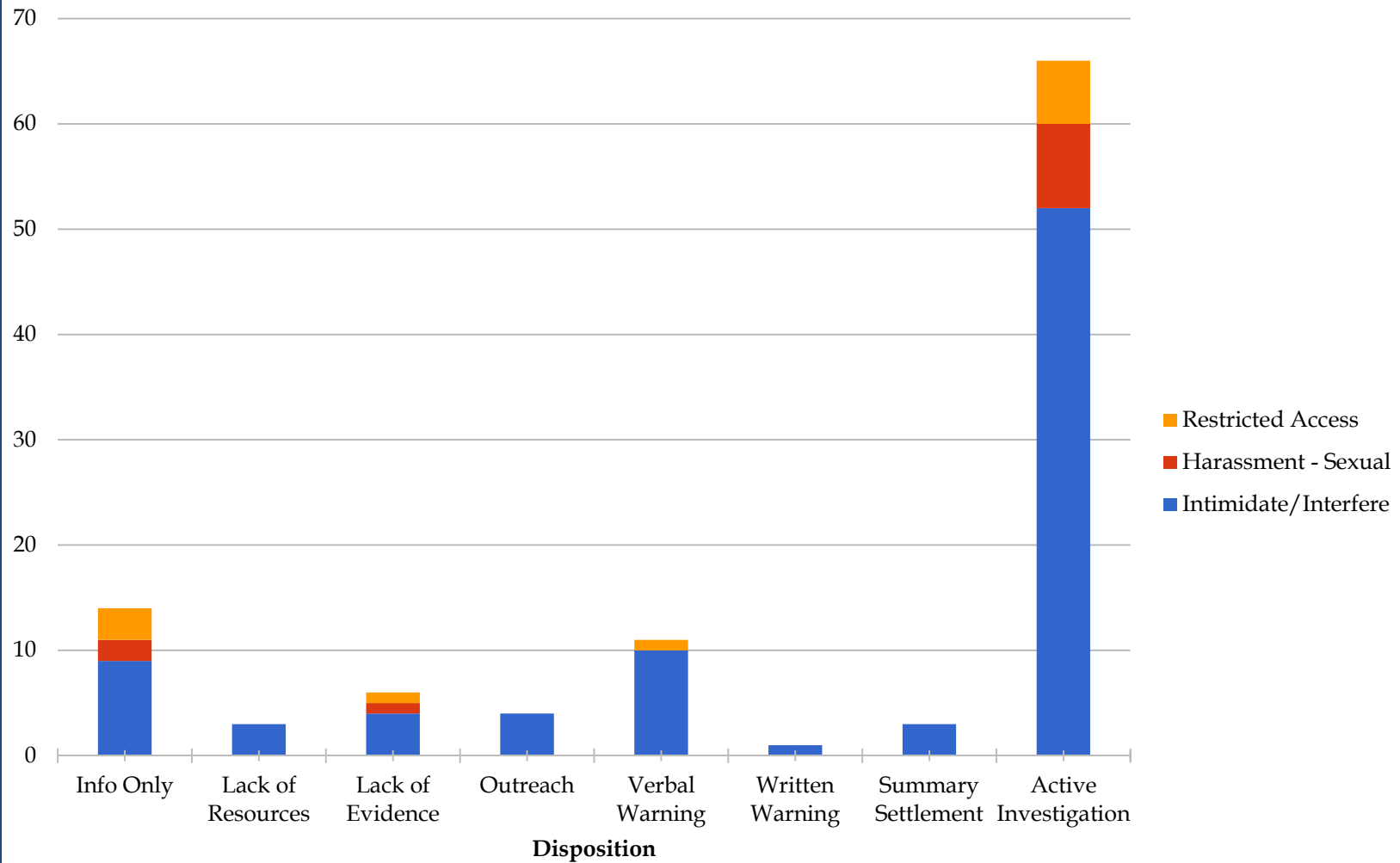
Observers

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.



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

