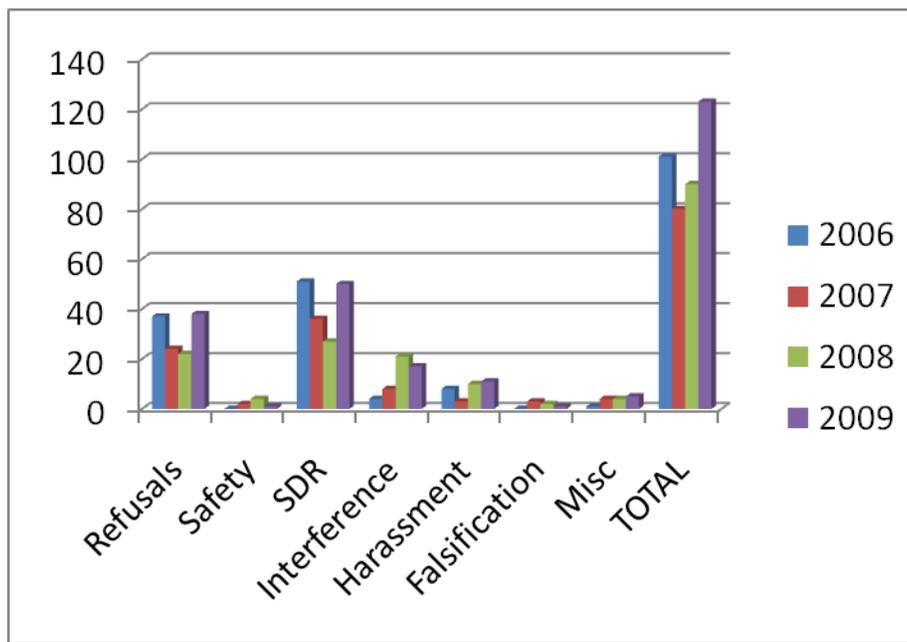




**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**National Marine Fisheries Service**  
**Office for Law Enforcement**  
25 Bernard St. Jean Drive, Room 113  
East Falmouth, MA 02536

Date: February 5, 2010  
To: NEFOP Certified Observers  
From: SA Tom Gaffney  
Subject: Enforcement Update

During the last calendar year one hundred and thirty complaints were received from the Northeast Fisheries Observer Program. One hundred and thirteen complaints have been investigated and seventeen are ongoing. Ninety seven violations were documented and addressed. The bar chart below shows complaint totals by category from 2006 through 2009.



We are transitioning to a new web based incident reporting system. The new form is an interactive PDF which can be electronically signed and emailed. The form is found on the NEFOP website under the "Forms" heading. This new format captures more information, speeds up the reporting process, and increases confidentiality. A hard copy example and instructions for the form are attached.

I want to take this opportunity to remind everyone of a few “do’s and don’ts”.

DO ....

Carry copies of **and offer to the operator** the “Observer Duties and Legal Responsibilities of the Captain” handout. If you need copies the form is on the NEFOP website under the “Manuals/References” heading.

Report all enforcement incidents promptly.

Use clear, concise, and affirmative language when selecting vessels and carrying out your duties.

Complete your logs as trained.

DON’T

Accept any gifts or gratuities during an observed trip or at the conclusion of a trip.

Work as a crewmember on a commercial fishing vessel for either favor or money.

Submit false or inaccurate data, statements, or reports.

In the past four years thirteen (13) observers have been decertified and terminated for data falsification.

Many of these observers admitted to falsifying data because they didn't want to be held accountable if they did not complete their job. For example if values were difficult to obtain, if the observer forgot to collect data, or if the observer was sick, they would make up data. In other instances observers admitted to being lazy or cutting corners. Do not report any data that you did not actually collect. Data falsification is extremely serious and will result in decertification and termination. You may also be civilly and or criminally prosecuted.