

WCO Diary by WCO Dave Kaneski, Northern Wayne County



photo: Art Michaels

The warm weather brought boating into full swing. The busiest boating lake in the state, Lake Wallenpaupack, is just a few miles outside our district. We engaged in several high-profile patrols. I was assigned to three separate details. The primary focus of these operations was drunken boaters—more specifically, boaters who disregard the laws and operate a watercraft under the influence of alcohol or a controlled substance. These laws parallel the laws that apply to motor vehicles. A conviction for this crime has a long-lasting negative effect for the individual who chooses to operate a vessel in this manner.



The first step is observing a violation of the Fish and Boat Code. It's usually a minor violation, such as a burned-out lightbulb, someone standing in a vessel or riding on the motor cover, or an expired registration. We activate the blue lights and pull alongside the vessel to begin the boarding process. Everything is observed, including the operator's actions, mannerisms (physical appearance, speech, dexterity) and condition of the vessel. If any of our observations raises suspicions, we then ask the operator to perform several sobriety tests unique to boating. These tests are important. They help us determine if the operator is under the influence of alcohol or a controlled substance.

When it is determined that the operator is probably BUI, an arrest follows. The operator is then handcuffed and asked to submit to a chemical test. This test may be breath, blood or urine. The rules of criminal procedure dictate that a non-resident be arraigned within six hours. If bail is not secured, a night or two in jail also follows. A preliminary hearing is then scheduled for the near future.

If this seems like a lot to endure for having the notorious "couple" of drinks while boating, use a designated driver or operator. Everyone will have a safe and enjoyable outing.

Our major sediment pollution case continued in May and June. This meant taking more photographs, gathering more water samples and shooting more video tape. The results of the water samples were analyzed by Commission biologist Ron Tibbott, and as expected, all were confirmed to be pollution. Six counts of "pollution of waters" charges were filed with the district justice and a preliminary hearing was scheduled. A preliminary hearing is slightly different from most summary hearings or trials. It's quite simple, actually. We need to prove that a crime has been committed, and that a particular person, or in this case, an entity, is responsible for committing the crime.

We held two large-scale programs for separate groups of teenagers. We play a small role during these week-long annual adventures. First is the Monroe County Conservation Camp. WCO Don Heiner and DWCO Casey and I discussed topics including water quality, insect life and stream surveys. We then demonstrated some electrofishing equipment as well as other methods for gathering fish for research. The program ended with a discussion and a firsthand look at some large-shelled reptiles (snapping turtles). For once, the turtles decided to cooperate and put on quite a display. The state police joined us for the second program for Camp Cadet at Lake Ladore. The snappers this time had to share the stage with another reptile demanding respect—rattlesnakes. Quinten Holl and Kathy Brewington brought two of these serpents and gave the cadets a firsthand look at two black-phase timber rattlers.

With a major pollution, high-profile BUI patrols and two large programs, I spoke with the media on many occasions. These encounters were quite diverse. With the pollution incident I was speaking as a lead investigator involved in a criminal investigation. Concerning the BUI patrols, I was part of a team of dedicated officers whose ultimate goal was to ensure safe boating. For the programs, I was an educator, attempting to inform our future generations that Pennsylvania's waters are there for everyone to enjoy, but that our water resources should be respected. With the help of Tammy Compton and Kevin Edwards of the *Wayne Independent* and Christine Pinto of the *Scranton Times/Tribune*, we disseminated vital information on a variety of topics for everyone in the area to share. ☐