

PA Fish and Boat Commission Bureau of Law Enforcement



2018 Annual Report

The mission of the Bureau of Law Enforcement is to protect, conserve, and enhance the aquatic resources of this Commonwealth through public education and fair enforcement by dedicated professionals.

Highlights of 2018

Here we go again ... no I am not quoting a White Snake song but referring to the annual report. It seems like I just completed the 2017 report and have been asked to put these words together. 2018 continued with the trend of seeing familiar faces leave after long, successful careers serving the Anglers and Boaters of the Commonwealth. This past year we saw WCO Terry Crecraft, SGT Alan Moyer, and CPT Gerald Barton move into retirement. We also experienced a change in Executive Director with Tim Schaeffer taking over the helm. I look forward to working with Tim to continue moving the Bureau and Agency forward. Good things are happening in the Bureau but I will save that for next year's report.

At current we have 20 vacancies within the Bureau at all levels. Those vacancies include 12 district WCO's, one Special Investigator, six SGT's, and one Captain. With the announcement of a new class we are hopeful to fill many of those positions. Unfortunately, we have more retirements on the horizon as we have many more eligible in the immediate future. This may require us to run back to back classes.

In 2018 we continued to recognize officers for outstanding work. WCO Robert Plumb was recognized as the NECLECA officer of the year for his effort in the 3069 Northern Wallenpaupack district. WCO Corey Girt distinguished himself in BUI enforcement earning him the TOP Gun Award. Corey is assigned the 6063 Northern Huntingdon/Mifflin district but spends many hours patrolling the Raystown Lake common area. WCO Travis Miller was recognized for his environmental enforcement efforts with the Greiner award. Travis serves the busy 4092 Lehigh district in the Southeast Region. At the time of this writing the NASBLA Boating Officer of the Year award has not been announced. WCO Mark Sweppenhiser was recognized with the prestigious Life Saving award for resuscitating a citizen using CPR and continuing life support care until the individual was transported to a local hospital. Lastly, WCO Matthew Raetsch was also recognized with the prestigious Life Saving award for stopping an individual from jumping off a bridge and ending their life. Good job to all these officers on their accomplishments.

2018 was another wet year. Due to severe flooding in August we dispatched both HART and SWERT elements to assist with rescues in Benton, PA. During that deployment we rescued 23 individuals and five pets that were trapped due to flooding. We also deployed HART to assist in rescue efforts after Hurricane Florence tore through South Carolina in September. As these types of rescues become more prevalent the Bureau will continue to train and hopefully expand our resources in these areas moving forward.

For the seventh year the Bureau of Law Enforcement with assistance from other agencies took part in a successful Operation Dry Water. This was the tenth year that NASBLA coordinated the national detail with over 7,000 officers and USCG personnel taking part. In Pennsylvania it rained, however we did not let that deter our efforts. During that weekend detail we contacted 2,346 boats. As a result of those contacts the bureau issued 289 boating citations for unsafe acts on the Commonwealth's waterways. Additionally, another 99 summary citations were issued for non-boating related activity (fish or crimes codes) as well as warning 1,106 individuals for minor infractions. Lastly, we apprehended 10 BUI's keeping those individuals from hurting themselves or others that weekend. Good job to all that took part. In 2019 Operation Dry Water will take place the weekend of July 5-7.

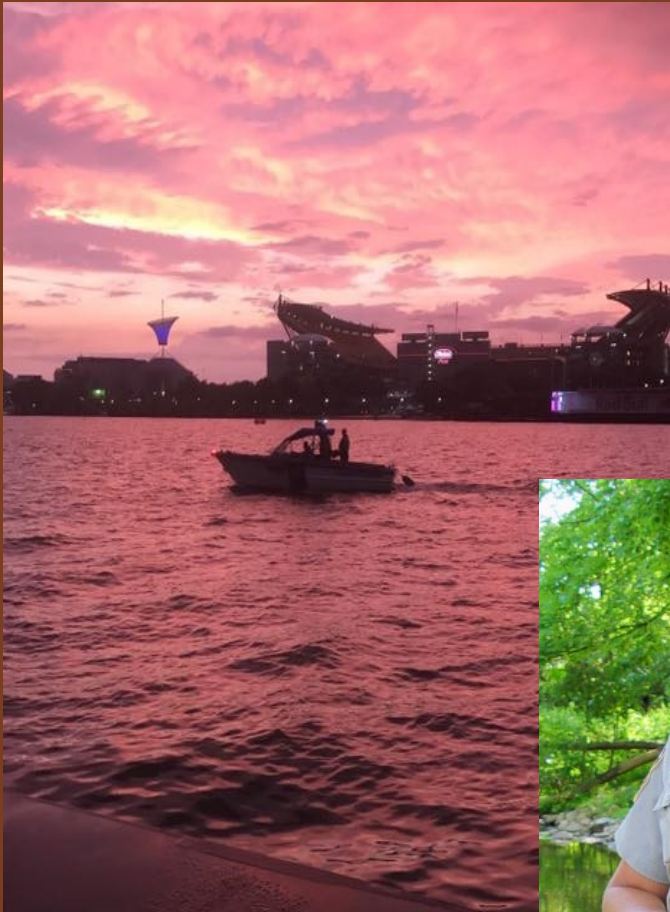
In closing I want to take a minute and thank all the officers and command staff for all of the hard work in 2018 and beyond. We have been short handed for so long that it has become the norm. Thankfully we have some relief in sight. I am hopeful that moving forward we will stay close to compliment and be able to do great things. As always, the success of the Bureau starts with the boots on the ground, thank you and SEMPER ANTICUS.

COL Corey L. Britcher

2018 Statistics

Court cases prosecuted.....	4,825
Warnings for violations	32,967
On board safety evaluations ..	27,194
Crimes Codes	54
Pollutions investigated	148
Boating Under the Influence...	51
Investigations	336
Snake permits.....	1,537
Turtle permits.....	31
Special Activity permits.....	2,498
Lake Erie Seine Net permits....	29
Water Rescue Certificates	4,200





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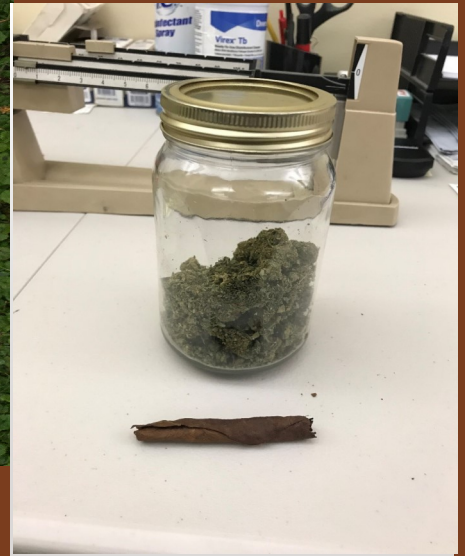
NORTHWEST REGION

Steelhead Season

The 2018 steelhead season began late in the fall due to poor weather. 2018 efforts included 104 prosecutions during the fall season, 445 warnings to anglers and 30 vessel boarding's. One case of note involved SGT Jim Smolko who was fishing undercover at the falls on Walnut Creek and relaying information to WCO Matt Visosky at the PFBC Walnut Creek Access via cell phone. An angler that caught and kept one steelhead fell in the creek decided to go back to his vehicle and picked up a stringer with three steelhead on it from another angler in their group and proceeded back to the parking lot. This put him over the limit. The angler that had his fish removed from the stream continued to fish and started a second stringer. Two other anglers in their group were also catching and keeping steelhead and placing them on various stringers along the stream and not always their personal stringer. When the anglers were ready to leave, it was discovered that one stringer with three steelhead had floated away. When all was said and done the group of anglers received one citation for Misuse of Property for entering posted property to urinate, one citation for Retrieval and Disposition of Fish and three citations were issued for over the daily creel limit either physically or by complicity. Total fines and costs for this event totaled \$1,116.25 and all pled guilty and paid within 13 days.

Illegal Drugs

Northwest WCO's continue to encounter illegal drugs in performance of their duties. WCO Jeff Giardina who patrols Mercer County was involved in over 10 cases this year regarding illegal drugs found in performance of his duties.



Left : Illegally caught Steelhead. Above: Marijuana in a jar. Below: Illegal drugs and WCO Tim Haas preparing to stock near the town of Volant, Lawrence county.





SOUTHWEST REGION

Closed Trout Stocked Waters

WCO Matthew Colian responded to individuals fishing Little Yellow Creek, which was closed trout stocked waters at the time, in Indiana County. He observed one individual actively fishing and another standing with a rod in his hand. WCO Colian made contact with them and ordered them to cross the creek to his side. One man took off running downstream. The man that stayed had 22 trout hidden in his vest. He also stated that a 3rd person was fishing downstream. WCO Colian obtained assistance from PSP in locating the person that had run. That man then gave them the name of the 3rd person. Several misdemeanor and summary charges were filed against the three including Resisting Inspection, Serious Unlawful Take, Interference and Fleeing/Eluding. The individual that fled received 3 to 12 months of incarceration, 1 year of probation and fines totaling \$500.

Loyalhanna Creek

WCO Dan Wilson investigated a pollution caused by a semi-truck roll over into Loyalhanna Creek, Westmoreland County. Upon arrival at the scene, WCO Wilson observed a sheen on the creek and the semi-truck overturned and over an embankment with the cab resting in Loyalhanna Creek. Approximately 100 gallons of diesel fuel and 15 gallons of oil were released into the stream along with some of the truck's cargo of food products. The accident was determined to be caused by driver error. A settlement was offered and accepted by the responsible party after clean-up efforts were completed.

Accident on the Allegheny

WCO's Matthew Kauffman and Anthony Beers responded to a boat accident on the Allegheny River, Armstrong County. It was determined that at approximately 1500 hours, a red, white and blue pickle style race boat was being operated on the Allegheny River at a high rate of speed with a single operator on board. As the operator attempted to overtake another boat, his boat hit a wake from another boat, became airborne, flipped in the air ejecting the operator. The operator was unresponsive and not breathing as he was pulled from the river by the occupants of another boat. CPR was performed by the individuals but efforts to revive the operator were unsuccessful. The operator was brought to shore, transported to the hospital where he was pronounced deceased. The death was ruled accidental and the cause was ruled as blunt force trauma.

Paddleboard Mishap

WCO Patrick Ferko investigated a paddleboard accident that occurred on the Quemahoning Reservoir, Somerset County. During the investigation, witnesses reported that the individual was on a paddleboard and for some reason he entered the water off his paddleboard and it appeared he was diving down and trying to retrieve something. He was seen in the water for approximately 5 minutes before going under the surface. Further statements from the witnesses stated that he was wearing a PFD but took it off before entering the water. The victim's body was recovered a couple of days later in 75 feet of water and his death was ruled an accidental drowning.



Above left: Confiscated Trout . Above: Semi-truck in Loyalhanna Creek. Below: Race boat and paddleboard.





NORTHCENTRAL REGION

Fish with a WCO

WCO's and DWCO's from throughout the Northcentral Region hosted a "Fish with a WCO" event in October. Partnering with our Bureau of Outreach & Education and the Bellefonte Fish Culture Station, over 90 family anglers were treated to a morning of trout angling.

Snake Catch Report

Failure to Submit a Venomous Snake Catch Report violation evolved into a costly criminal investigation for a New Jersey resident. During the course of this investigation, WCO Chad Lauer compiled evidence that the responsible party had fraudulently claimed resident status in 2015, asserting his seasonal camp address as his primary personal residence. Using his false claim of Pennsylvania residency, he obtained multiple years of resident fishing licenses and venomous snake permits, as well as resident hunting licenses and related permits. The suspect pleaded guilty to seven summary offenses relative to Title 30, paying fines in the amount of \$1229.00. Criminal charges filed by the PA Game Commission in concert to this investigation are pending adjudication.

Unlawful Take and Sale

WCO Emmett Kyler filed misdemeanor criminal charges relative to *Serious Unlawful Take and Commercial Sale of Native Reptiles* against a local poacher. During the execution of a search warrant at the suspect's residence, 22 illegally taken native timber rattle-

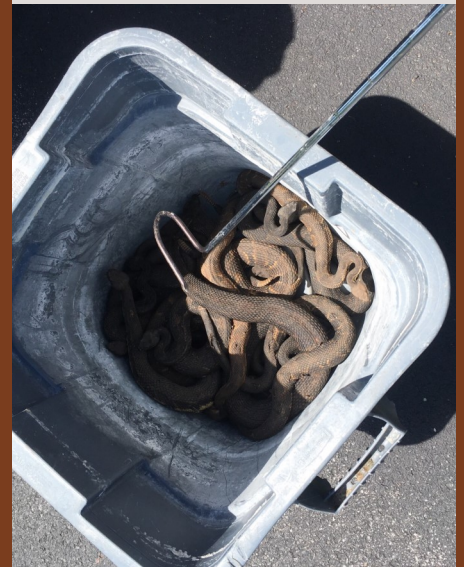
snakes were seized. Charges are pending adjudication.

BSA

WCO Chad McKendrick investigated a chlorine spill at the Boy Scout Camp Mountain Run facility on Boone Lake. A broken valve assembly in the swimming pool water treatment system resulted in the discharge of liquid sodium hypochlorite into nearby Mountain Lick Run, resulting in an appreciable fish kill (including the recovered mud-puppies depicted). This pollution event was resolved by a settlement agreement.



Left: Fish with a WCO program Above: Snake catching equipment. Below: Illegally taken native Timber Rattlesnakes and Mud-puppies from Mountain Lick Run.





SOUTHCENTRAL REGION

Huntingdon Boro

WCO Corey Girt responded to a partial railroad bridge collapse in Huntingdon Boro, Huntingdon County over Standing Stone Creek causing a Norfolk Southern train to derail and deposit five cars containing plastic pellets and dehydrated foods into the stream. Norfolk Southern was identified as the responsible party and ultimately entered into a Settlement Agreement for damage to Commonwealth Aquatic Resources.

Happy 4th of July

WCOs Rich Morder and Corey Girt were on patrol along the Juniata River and encountered 6 male fisherman. While checking their creel, it was determined that they were over the limit of Rock Bass by 57 and they had 7 Smallmouth Bass that were below the minimum size limit. There were 8 citations issued to 5 of the fishermen for being in violation with a total of \$1,186.25 in fines assessed. Lesson learned: It may be fish for free day but it's not fill your cooler day!

Party at Raystown!

WCO Corey Girt's BUI suspect/arrestee takes a well-deserved nap in one of the patrol boats after a hard day of drinking and partying on Raystown Lake. On top of the fines and suspension of boating privileges he received upon adjudication, he also paid the carpet cleaning bill in restitution for relieving himself in the boat.

Dock Street Dam

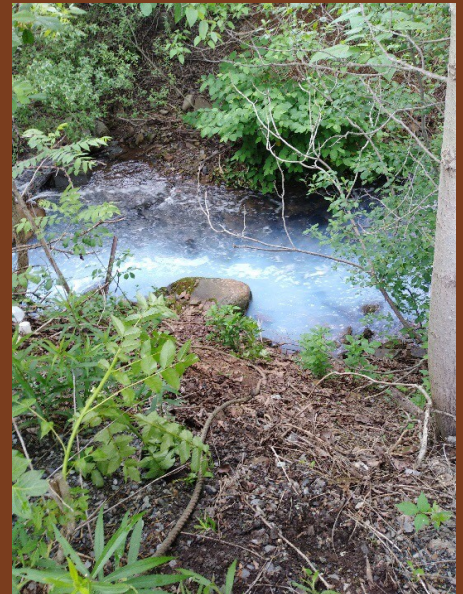
WCO David Hurst responded to a call from Dauphin County 911 for a boat accident on the Susquehanna River in the vicinity

of the Dock Street Dam. The information given was that a male occupant had reached shore after his boat had struck the dam but two female occupants were unaccounted for. A 25 year old female's body was recovered a short time later however a 3 year old female was still unaccounted for. The 26 year old male operator was taken to the hospital where chemical test results later revealed that he had been operating a watercraft under the influence of a controlled substance at the time of the accident. Three days later the body of the 3 year old was recovered from the river. The following charges were filed: 2 counts of Homicide by Watercraft while BUI (F), 1 count of Involuntary Manslaughter involving a child (F) and 1 count of Endangering the Welfare of a Minor (F). The preliminary hearing was waived and the case is awaiting trial.

Left and above: Huntingdon Boro train wreck and over the limit Rock Bass. Below: Passed out BUI arrestee and Dock Street Dam boat accident.



OCA 65-2-18, image 7



NORTHEAST REGION

Lake Wallenpaupack

While on patrol at Lake Wallenpaupack, in Wayne County WCO Bob Plumb and Curt Tereschak received a radio call from the County Communications Center informing them of a boat accident in the Cove Point area of the lake. Initial information provided indicated that two Personal Watercraft had collided, and one was sinking. WCO's Plumb and Tereschak headed to the scene and observed one blue and white PWC half submerged in the lake. Several people on the scene observed two individuals leaving on a red and white PWC, and one of them was bleeding from the head. The WCO's were able to track down the two individuals and file the appropriate charge.

Spic and Span

WCO Scott Christman investigated a complaint he received from a concerned citizen regarding Plastic World Recycling in Bowmanstown, PA. Initial reports were that the company employees were dumping floor cleaning products into a storm drain which emptied into Fireline Creek, a tributary to the Lehigh River. WCO Christman arrived on the scene and found this to be true. Criminal charges were filed with the Carbon County District Attorney's Office. After further review the DA's Office forwarded the incident to the Attorney General's Office, Environmental Crimes Unit for prosecution.

Blue Pellets

WCO Eric Weredyk was notified by a local police department of a substance floating in Pocono Creek, Monroe County. WCO Weredyk responded to the area and found large numbers of blue plastic pellets in

Pocono Creek. The pellets were coming from a tributary along Interstate 80 where a tractor trailer accident had taken place the previous day. A littering citation was filed against the truck driver.

Trash Hauler

While patrolling the Lackawanna River (Class A Section) in the City of Scranton, WCO Walter Buckman observed a large pile of recently dumped garbage. Upon investigation of the garbage he was able to come up with an address. That person had recently passed away and a son was cleaning out the house. He informed WCO Buckman that he paid someone to dispose of the trash. Ultimately WCO Buckman was able to track down the responsible party have the area cleaned up and a charge for littering was filed.

Left: Submerged PWC. Above: Cleaning product in Fireline Creek. Below: Blue pellets in Pocono Creek and garbage along the Lackawanna River in Scranton.





SOUTHEAST REGION

Hidden HIN

While on boat patrol at Blue Marsh Lake in Berks County, WCO's Troy Merrell and Mark Pisko stopped a jet ski that was displaying an expired PA registration sticker. During the stop, WCO Merrell noticed that the Hull Identification Number plate was missing from the rear of the PWC. After determining that the operator of the PWC was not the owner, the WCO's followed the operator back to shore, where they made contact with the person identified as the owner of the PWC. The owner claimed that he no longer owned it, that he had sold it and only had it in his possession because he was repairing it. The owner claimed he did not know the name or phone number of the new owner, something that made the situation even more suspicious to the officers. At this point the PWC was seized by the officers and a lengthy investigation began. Because the HIN plate was missing from the vessel, WCO Merrell had to obtain a search warrant in order to have a mechanic partially disassemble the PWC in an attempt to locate the hidden HIN plate. Running the hidden HIN number resulted in the discovery that this PWC had actually been registered in North Carolina. With assistance from an officer with the North Carolina Wildlife Resources Commission, WCO Merrell was able to obtain information that enabled him to trace the path of this PWC as it made its way to Pennsylvania. After additional investigation and interviews, conducted with the assistance of fellow WCO's as well as a PA State Parole Agent, WCO Merrell was able to develop sufficient evidence to file multiple Crimes Code and Fish and Boat Code charges against the subject who was initially identified as the owner of the PWC on the day it was seized at Blue Marsh Lake.

Kempton, Berks County

Lehigh County WCO Travis Miller responded to a report of a subject digging trenches in a wetland near Kempton, Berks County. Upon inspecting the property, WCO Miller found that the subject, who rents the property, had dug trenches through a wetland without the required permits and without having any erosion controls in place. In addition, while inspecting the site he noticed a minnow trap and a plastic tote in one of the trenches. Inside the minnow trap and the tote were dozens of tadpoles, frogs and Red Spotted Newts. WCO Miller also observed approximately 30 Eastern American Toads confined in a portion of a trench that had been sectioned off with plywood. After determining that the resident of the property did not possess a valid fishing license, WCO Miller, assisted by other WCO's and Troopers from the PA State Police, returned to the property with a search warrant and seized 57 Eastern American Toads and 26 Red Spotted Newts, both of which have a possession limit of 1, as well as several other assorted reptiles and amphibians that are also native to the Commonwealth. Upon completion of his investigation, WCO Miller filed a misdemeanor Fish and Boat Code charge of Disturbance of Waterways and Watersheds for the trenches that were illegally dug through a wetland, as well as a misdemeanor Fish and Boat Code charge of Serious Unlawful Take because the defendant had grossly exceeded the possession limit for numerous native reptiles and amphibians, as well as a summary charge for failing to possess a valid fishing license. The defendant is awaiting a trial in Berks County Common Pleas Court.



Left and Above: Confiscated jet ski and HIN plate. Below: Eastern American Toads and a trench through a wetland.



Photo: WCO Travis Miller



Left: WCO Chad Lauer with snake filled bins. Above: Snake cage. Below: Box Turtle shell and an AR gun.

SPECIAL INVESTIGATIONS

2018

The Special Investigation Unit continued to conduct a wide array of cases, primarily against those looking to illegally profit from our aquatic resources. Due to the promotion of CPT Thomas Burrell and also the vacant investigator position the unit was without any permanently assigned personnel. None the less, dedicated WCO's continued their efforts to protect our aquatic resources.

Prosecutions

There was a total of 28 investigations during 2018. These investigations resulted in 14 individuals being prosecuted for various Title 30 violations including 14 summary and 2 misdemeanor charges. The Commission was also involved in 4 joint investigations with other agencies (3—USFW & 1 PGC) and turned over three cases to other jurisdictions (1 each PGC, USFW and other).

For Sale—More Rattlesnakes Than You Can Use

In June, WCO Emmett Kyler was contacted by a confidential informant who stated a Lycoming County resident was attempting to sell over two dozen Timber Rattlesnakes, some of which were harvested prior to the opening of the Venomous Snake season. PFBC personnel were able to identify the suspect and set up a covert purchase of the suspected Timber Rattlesnake within days of receiving the tip.

A plain clothes officer was able to meet the suspect, confirm the identification of the Timber Rattlesnakes and arrange to purchase 11 snakes. Additional snakes were observed at the suspects vacation cabin and

arrangements were made to purchase those snakes later that same day. Instead uniformed officers served a search warrant at the suspect's cabin and recovered the additional snakes without incident. In total 21 live Timber Rattlesnakes were recovered from the property, with one dead snake recovered from a nearby ditch, as well as one Box Turtle shell that was observed on the back deck. Officers also seized an iPhone and various items used to store the snakes.

The suspect was eventually charged with four Summary and two Misdemeanor violations of Title 30. At present he is awaiting trial on these charges. In the days following this incident PFBC officers were instrumental in linking the suspects to multiple other crimes ranging from receiving stolen property to illegal possession of a firearm—all thanks to observations made during the initial investigation. These cases are being prosecuted by a variety of local, county and state law enforcement agencies and are also moving through the judicial process.





BOATING AND WATERCRAFT SAFETY

Water Rescue Training

The Commission certified 4,241 students through the Water Rescue Program. The PFBC “Water Rescue for the First Responder” NFPA 1670 Awareness level course received approval from the Municipal Police Officers’ Education and Training Commission (MPOETC) for Continuing Law Enforcement Education (CLEE) for individuals that hold Act 120 Certification. The Commission also conducted three Instructor Trainer Courses which certify individuals to deliver the PFBC Water Rescue Curriculum so they can provide training to Commonwealth first responders. The Commission has a trained in-state volunteer instructor corps of 185 individuals who provided more than 12,800 hours of training in 2018. The PFBC’s Water Rescue program is the largest of its kind in the United States.

The PFBC conducted twelve Swiftwater Volunteer Service Recognition Inspections in partnership with the PA State Fire Academy and PA Department of Health for Team Typing, bringing the total number of credentialed swiftwater teams in the Commonwealth to thirty-eight.

In July, a full scale (FX) PA-HART Wilderness Search and Rescue (SAR) exercise was conducted in Centre County near Spring Creek Canyon Bellefonte, PA.

The PFBC also participated in the International Association of Water Rescue Professionals Conference held in South Bend, IN and presented information and instructions on the Commonwealth’s Water Rescue Program.

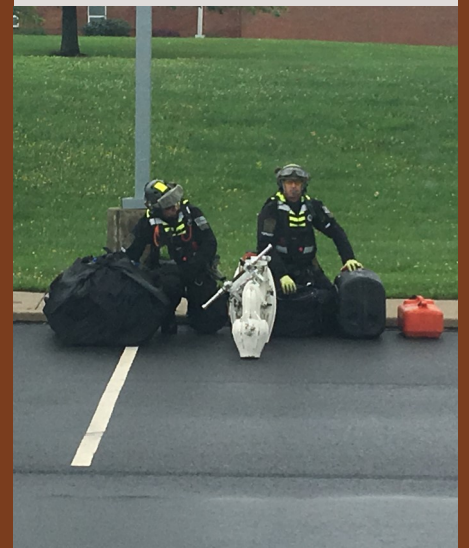
Emergency Response

Through an Emergency Management Assistance Compact (EMAC), members of the HART team deployed to South Carolina to assist in the rescue operations in the aftermath of Hurricane Florence.

In August, the Commonwealth was inundated with rain and Fishing Creek in Benton, PA suffered catastrophic flooding. PA-HART was activated and successfully rescued twenty-three individuals, six of the twenty-three were children and five animals.

PA-HART is a joint partnership between the PA Army National Guard (PAARNG), the PA Fish and Boat Commission (PFBC) and the PA Emergency Management Agency (PEMA) along with civilian rescue specialists.

Left and above: Roof tops rescues in Benton, PA. Below: WCO’s Kephart and Kyler were dropped near Benton, PA with a boat package. SWERT Training in Great Falls, VA.





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