



# SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Trish Murphey, Chair | Jessica McCawley, Vice-Chair  
John Carmichael, Executive Director

## AGENDA

### Law Enforcement Advisory Panel

Wednesday, February 5, 2025

1:00 pm – 5:00 pm

**Webinar Registration:** <https://attendee.gotowebinar.com/register/4690831509188598366>

Approval of agenda

Public Comment

1. Eligibility criteria for state advisory panel members (*Attachment 1*)
2. Law Enforcement of the Year Award (*Attachment 2*)
3. Modifications to improve for-hire reporting (*Attachment 3*)

Other Business

Adjourn

#### Advisory Panel Members:

Scott Pearce, Chair (FWC)

Michael Paul Thomas, Vice-Chair (SCDNR)

Robert Beaton

Joshua Burton

Tracy Dunn

Michael Freeman

Alana Harrison

Chris Hodge (GADNR)

Jamal Ingram (NOAA OLE GC)

Andrew Loeffler (USCG)

Patrick O'Shaughnessy (NOAA OLE)

Kevin Roberson

Garland Yopp (NCDMF)

**Staff:** Myra Brouwer ([Myra.Brouwer@safmc.net](mailto:Myra.Brouwer@safmc.net))

#### Attachments:

**Attachment 1:** SAFMC Advisory Panel Policy (December 2024)

**Attachment 2:** Law Enforcement Officer of the Year Award Nomination (2023)

**Attachment 3:** SEFHIER Improvement Discussion Document

# OVERVIEW

## Law Enforcement Advisory Panel

After introductions, the advisory panel (AP) will approve the agenda for the January 2025 meeting. This will be followed by an opportunity for public comment.

### 1. Eligibility criteria for state advisory panel members (*Attachment 1*)

**Description:** The Council selects members to serve on advisory panels according to its Advisory Panel Policy. The latter was most recently reviewed in December 2024 (Attachment 1). According to current policy, NOAA Office of Law Enforcement conducts background check on applicants to determine whether the applicant has had a fisheries violation in the prior three years. Council staff have been gathering information on how individual states conduct their background checks when needed, and the language used to inform applicants that a background check was being conducted.

**Requested AP Action:** Provide feedback on the selection process, specifically as it relates to background checks for applicants to state advisory bodies.

### 2. Law Enforcement of the Year Award (*Attachment 2*)

**Description:** Since 2010, the Council has offered the award 14 times to officers or teams who stood out in their effort to enforce fisheries laws in the South Atlantic region. Members of the Law Enforcement Advisory Panel (LE AP) representing 6 agencies (States, NOAA OLE and USCG) submit nominees and conduct voting via email to coordinating staff. Up to three nominees are thus selected for the Council to consider annually at its June meeting. The award is presented at the September Council meeting in Charleston. Only two nominations were submitted in both 2022 and 2023. Rather than select among two nominations, the Council opted to present the award to both nominees in both years. In December 2024, the Council discussed the LEOY selection process and provided the following suggestions for the LE AP to consider:

- Consider changing the name of the award to the “Law Enforcement Award of Excellence” and do not require that it be awarded annually. Instead, the award will be made in years when an officer or team are to be acknowledged for going “above and beyond” their duty in enforcing fisheries regulations.
- Explore creating a rubric to select among nominees.

**Requested AP action:** Provide feedback on Council’s suggested modifications to the LEOY nomination and selection process.

### 3. Modifications to improve for-hire reporting (*Attachment 3*)

**Description:** The SEFHIER program was launched in 2021 with implementation of the Comprehensive For-Hire Electronic Reporting Amendment (SAFMC 2017), which modified reporting requirements for federally permitted charter vessels and headboats in the snapper grouper, dolphin wahoo, and coastal migratory pelagics fisheries. The SEFHIER program has been operating in the South Atlantic since 2021, but data being collected through the program cannot yet be used in management decisions because of 1) low compliance with reporting requirements, and 2) lack of validation. The Council acknowledged some improvement with the programs’ requirement could be accomplished without amending the fishery management plans for the three fisheries. However, actions such as changing the

reporting frequency and other aspects of the program would need to be modified through an amendment. The Gulf of Mexico Fishery Management Council is also considering modifications to reporting requirements since SEFHIER ceased operating in that region in February 2023 after a court ruling.

The Council assembled an advisory panel in 2024 comprised of federally permitted for-hire captains that report through SEFHIER, including members on existing advisory panels (e.g., dolphin wahoo AP), and those that hold southeast permits and operate in New England, the Mid-Atlantic, and the Gulf of Mexico. The For-Hire Reporting AP is scheduled to meet on January 29, 2025, via webinar to discuss potential modification to for-hire reporting. In December 2024 the Council directed staff to provide an update on potential modifications to the SEFHIER program to the LE AP and obtain their feedback.

**Requested AP Action:** Discuss potential actions to improve the SEFHIER program and provide input from a law enforcement perspective. Are the proposed actions enforceable? If not, how should they be modified to optimize enforcement?