

Case at a Glance:
Interagency Probe of Marine Resource Poaching in the Florida Keys

Cooperative Federal/State efforts to combat wildlife poaching in federally protected waters in the Florida Keys have successfully broken up two illegal commercial lobstering operations as well as unlawful fin fish harvesting.

These linked investigations – dubbed Operations Frost Bite, Freezer Burn, and Tortuga Hooker – documented unlawful take of lobster and fish in 2008 and early 2009 from the following protected sites:

- Florida Keys National Marine Sanctuary
- Dry Tortugas National Park
- Florida Keys National Wildlife Refuges (specifically, Key Deer National Wildlife Refuge, Great White Heron National Wildlife Refuge, Key West National Wildlife Refuge)

Working together over a two-year period, Federal and State investigators secured:

- Felony indictments for illegal commercial lobstering involving a total of 8 individuals
- A successful civil suit against two of these people that sought compensation for loss and damage under the National Marine Sanctuaries Act
- Separate Federal charges for illegal commercial fishing in Dry Tortugas National Park against of one of these defendants

Collectively, these linked investigations resulted in:

- Successful prosecution and conviction of 8 Florida residents involved in illegal commercial lobstering
- Successful prosecution and conviction of one of these defendants for illegal commercial fishing
- Federal prison terms for 5 defendants, totaling 79 months (nearly 6½ years)
- 16 months of house arrest for 3 defendants
- 300 hours of community service for one individual
- Bans of up to 5 years on any fishing in south Florida for 2 of the 8 defendants
- Shorter bans for 2 other defendants

Financial penalties included:

- \$1.1 million in restitution for use in removing unlawfully installed artificial lobster habitat utilized for lobster poaching from federally protected waters

- Some \$43,000 in payments to cover investigative, dive operation, and other costs
- Forfeiture of 4 vehicles and 4 boats (valued at an estimated \$150,000)

Collectively, the individuals involved in the lobster and fish poaching operations documented by Federal and State investigators were responsible for:

- The unlawful installation and use of more than 1,100 underwater artificial habitat sites (known as “casitas”) to facilitate lobster poaching
- The unlawful take in the space of less than one year of more than 10,000 pounds worth of spiny lobsters for commercial sale with a market value of hundreds of thousands of dollars
- The unlawful harvest of fin fish valued at up to \$30,000

These probes were spearheaded by special agents from:

- U.S. Fish and Wildlife Service Office of Law Enforcement
- National Oceanic and Atmospheric Administration (NOAA)-Fisheries Office of Law Enforcement

Other Federal agencies or entities providing investigative or other assistance in various phases of these linked investigations include:

- Florida Keys National Marine Sanctuary
- Damage Assessment & Resource Protection Office of NOAA’s National Marine Sanctuary Program
- NOAA’s National Marine Fisheries Restoration Center
- National Park Service
- U.S. Fish and Wildlife Service National Wildlife Refuge System

Assistance was also received from:

- Florida Fish and Wildlife Conservation Commission
- Miami Dade Police Department

Federal criminal prosecutions were handled by the U.S. Attorney’s Office for the Southern District of Florida.