

<b>Incident Number</b>	<b>Reported by</b>	<b>Date Reported</b>	<b>Division</b>	<b>Observer Program Name</b>	<b>Disposition/Outcome</b>	<b>Alleged Offense/Incident Reported</b>	<b>Status</b>
1501227	NMFS observer	05/14/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Verbal Warning	OBSERVER INTIMIDATION—During a phone call between vessel owner and observer area coordinator, vessel owner sought a waiver from observer coverage for an upcoming fishing trip. Owner stated that he can make sure observer provider does not get any business if he was not given a waiver.	Closed
1503253	NMFS observer	09/21/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence  Observers was reluctant to be involved in enforcement action/investigation. Interviews of captain and crew provided no additional evidence of violation. Provided education to vessel owner/ operator on the regulations and importance of the Observer Program.	OBSERVER HARASSMENT COMPLAINT—Observer reported comments made by vessel operator and crew seemed threatening.	Closed
1503302	NMFS observer	07/20/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence  Observer submitted the report under intimidation but he did not provide any specific examples where he was intimidated.	OBSERVER INTIMIDATION—Observer accidentally discarded a large catch that the crew had intended to keep, although this was not made clear to the observer. Observer apologized but operator reportedly said "I don't want to talk to you!"	Closed

1503403	NMFS observer	08/10/2015	NED	Northeast Fisheries Observer Program (NEFOP)	<p>OLE-Closed Lack of Evidence</p> <p>The investigation determined there was a language barrier between observer and the operator, which most likely led to a misunderstanding of what the observer had requested.</p>	OBSERVER INTERFERENCE—Observer submitted an incident report stating that the operator refused to provide him with kept catch data.	Closed
1503405	NMFS observer	09/29/2015	NED	Northeast Fisheries Observer Program (NEFOP)	<p>OLE-Close No Further Action Required</p> <p>Operator told investigator that observer employee caught him at a bad time and he would not do any harm to any observer or interfere with their ability to do their assigned job. No harassment or interference with observer(s) reported.</p>	OBSERVER HARASSMENT — Observer reported that a vessel owner told him that the next observer that was assigned to his boat would have a hostile environment.	Closed

1503434	NMFS observer	07/29/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Verbal Warning  SA advised operator to allow observers to fulfill their duties and not to create a hostile environment when they are aboard the vessel regardless of if he disagrees with the program or the assigned duties of the observer.	OBSERVER HARASSMENT — Observer reported being in a hostile environment due to operator's persistent complaints about the observer program and NMFS. He was also difficult about allowing the observer to sample bycatch as requested.	Closed
1503435	NMFS observer	09/22/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Verbal Warning  Vessel obtained CFVSE decal and started carrying observers.	OBSERVER REFUSAL COMPLAINT / LACK OF A USCG CFVSE DECAL	Closed
1503452	NMFS initiated	10/05/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required	OBSERVER HARASSMENT—observer reported vessel operator and crew were uncooperative and made it difficult to perform her duties by ignoring requests to provide samples before discard and throwing fish at her for sampling at other times.	Closed
1503819	NMFS observer	10/28/2015	NED	Northeast Fisheries Observer	OLE-Close No Further Action Required	OBSERVER INTERFERENCE—Observer was told by vessel operator that he could not sample an incidental	Closed

				Program (NEFOP)	Verbal Warning	take as the animal was alive and the operator wanted it returned to the water.	
1504063	NMFS observer	12/02/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Verbal Warning/COPPS - resistance by operator was due to vessel being in narrow channel at time observer requested safety equipment check.	OBSERVER INTERFERENCE— Observer met resistance when trying to complete safety checklist.	Closed
1504082	NMFS observer	11/26/2015	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  VERBAL WARNING	OBSERVER INTERFERENCE— Multiple observers were unable to measure the trawl net. In each instance, the gear was stowed and the operator refused to make it accessible.	Closed
1601651	NMFS observer	03/18/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed due to lack of evidence meeting the definition of observer harassment.  Operator took corrective action with crew member when issue was raised by observer.	OBSERVER HARASSMENT— Observer was trying to sleep and crewmember proceeded to make unnecessary noise which awoke him. Same crewmember later rapidly turned lights on and off which awoke him and another crewmember.	Closed

1601652	NMFS observer	03/09/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required ADDRESSED BY NEFOP STAFF.	OBSERVER INTERFERENCE - Crewmembers shoveled bycatch such as sand dollars and debris overboard before the observer could sample it.	Closed
1601655	NMFS observer	03/12/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Compliance Assistance Provided Verbal Warning for Observer Interference.	OBSERVER INTERFERENCE —Observer was unable to record position data for first six hauls of the trip as the operator told him not to be in the wheelhouse where the navigation equipment was.	Closed
1601666	NMFS observer	03/30/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence  Observer refused to submit incident report feeling it was not necessary. Complaint was submitted by observer staff, not observer.	OBSERVER HARASSMENT—Observer had multiple phone conversations with vessel captain regarding delayed trip due to weather and maintenance. Observer reported that each phone conversation, vessel captain asked questions such as observer’s observing history and training. When observer met the captain prior to departure, captain assisted and answered observer’s questions without any problem. Observer felt that they might have judged captain harshly on the phone.	Closed
1601741— duplicate of 1602316	NMFS observer	04/06/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Observer was able to obtain all the information that had been withheld earlier in the trip	OBSERVER HARASSMENT & INTERFERENCE — Observer reported being video recorded by the captain with his cellphone while taking a nap. Observer reported that the captain made various anti-observer comments throughout the trip. After suffering a facial injury and back pain operator stopped providing observer information for the observer logs, however at the end of the trip, operator allowed the observer to look at his records to obtain the missing information.	Closed
1602316— duplicate of 1601741	NMFS observer	05/17/2016	NED	Northeast Fisheries Observer	OLE-Close No Further Action Required	OBSERVER HARASSMENT & INTERFERENCE — Duplicate of 1601741	Closed

				Program (NEFOP)			
1604003	NMFS observer	04/25/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence  The observer left the program and investigator was unable to contact them.	OBSERVER HARASSMENT COMPLAINT - Incident report notes several issues including the operator stating "Fuck Off" to observer when being told EPIRB hydrostatic release was out of date, being disturbed while sleeping in a room that crew accessed for supposedly work related activities, and an incident with the first mate berating him about taking food before other crew members had eaten.	Closed
1604097	NMFS observer	08/06/2016	NED	Pelagic Observer Program	OLE-Closed Lack of Evidence  Investigation including review of available video monitoring unable to obtain sufficient evidence to corroborate allegations.	HARASMENT AND THREATS BY A CREWMEMBER – Observer reported several incidents of verbal abuse by crew members and a threat to hurt the observer if he didn't leave the wheelhouse on one incident.	Closed
1605711	Observer	07/15/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence  Observer was able to estimate the kept catch.	OBSERVER INTERFERENCE —Operator would not provide a kept catch estimate on one haul.	Closed
1605712	Observer	08/02/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Observer program staff volunteered to contact operator of vessel for outreach purposes.	OBSERVER INTERFERENCE – Observer submitted an interference complaint as he said he was not allowed to photograph catch.	Closed

1605714	Observer	08/16/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence	OBSERVER INTIMIDATION—Observer reported intimidating comment made by vessel operator prior to departure. No additional incidents or concerns by observer during deployment after departing the dock.	Closed
1606742	Observer	12/16/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Compliance Assistance Provided  Case closed with COPPS after interview of Operator and Observer.	OBSERVER INTERFERENCE AND HARASSMENT—Observer reported interference in sampling of sturgeon bycatch and disagreement with vessel operator about authority to sample sturgeon under the Endangered Species Act.	Closed
1606750	Observer	12/16/2016	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required  Verbal Warning for Observer Harassment.	OBSERVER HARASSMENT - Observer submitted harassment complaint after receiving multiple texts from a wife of a vessel operator.	Closed