

Incident Number	Reported by	Date Reported	Division	Observer Program Name	Disposition/Outcome	Alleged Offense/Incident Reported	Status
1300729	NMFS observer	03/06/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence	Observer interference—observer noted that she saw some sea birds in the water after the first haul was completed. The other observer and the operator retrieved a bird and stored it in a bucket for sampling. Observer wrote was not sure if the birds were removed from net or fell from the net. She reviewed her duties with the operator at the start of the trip, but "looking back should have been more clear as to what was expected if a bird comes up in the net."	Closed
1301602	NMFS observer	05/09/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Compliance	Observer interference—a crew interfered with an observer's duties. The crew threw an entangled dead seal overboard after explaining that she needed to take samples of it.	Closed
1301613	NMFS observer	05/01/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Verbal Warning	Observer interference—Observer was prevented by the captain and crew from sampling all marine mammals taken during the 4/30 trip.	Closed
1301920	NMFS observer	05/01/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Resources Operator has not been located	Observer intimidation	Closed
1302111	NMFS observer	05/02/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required COPPS: COMMUNITY-ORIENTED AND POLICING PROGRAM	Observer reported intimidation while aboard vessel. Operator repeatedly made statements concerning the discard weights she was recording being too high.	Closed
1302426	NMFS observer	04/23/2013	NED	Northeast Fisheries Observer	OLE-Close No Further Action Required	Observer interference—observer was able to complete all sampling duties on an incidental take with the exception of obtaining a core body	Closed

				Program (NEFOP)	COPPS: COMMUNITY-ORIENTED AND POLICING PROGRAM	temperature before it was discarded. Observer stated operator possibly thought he was done sampling when he left the animal to get the thermometer.	
1303182	NMFS observer	05/01/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required CLOSED INFO ONLY	Observer interference—Observer experienced interference issue due to language barrier with crew member.	Closed
1303685	NMFS observer	08/08/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Compliance Assistance—not feasible to bring mammal onboard	Observer interference—Captain refused to bring grey seal that was caught in net onboard.	Closed
1303707	NMFS observer	08/09/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Compliance assistance— not feasible to bring mammal onboard	Observer interference—dealing with two incidental takes. Two seals were found drowned/entangled in the captain's gear, though the captain plainly stated, "I'm not bringing them on board." Observer was able to complete all sampling duties with the animals in the net on the side of the vessel.	Closed
1303889	NMFS observer	08/21/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Compliance—subject did not recall incident	Observer intimidation—Owner/operator began “flipping out”, yelling and swearing at the observer about having come aboard the vessel.	Closed
1303914	NMFS observer	07/15/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required COPPS: COMMUNITY-ORIENTED AND POLICING PROGRAM	Interference—Observer not able to fully sample incidental take; observer was not able to affix a tag on incidental take. Observer did not advise operator prior to the take that he would need to have access to any incidental takes. Setter said that while the animal was on deck he asked to tag it but observer did not acknowledge the request until after the animal	Closed

						was disposed of. Observer could not say whether operator actually heard him - but the thought that he did.	
1304079	NMFS observer	09/05/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required COPPS: COMMUNITY-ORIENTED AND POLICING PROGRAM	Observer interference – observer had difficulties sampling fish on the vessel. Crew discarded live fish that observer needed to sample.	Closed
1304893	NMFS observer	10/25/2013	NED	Pelagic Observer Program	GC issued NOVA, fine paid 5/16/16	Observer harassment, intimidation, impede or interfere—observer experienced a hostile work environment as a result of the actions and utterances of the vessel's crew and captain, including crew members defecating in his observer work station and his observer duties were interfered with when crew members discarded fish before he could sample the animals as required.	Closed
1304993	NMFS observer	11/01/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence—observer did not make request to be notified of, or request to sample incidental takes prior to being discarded	Observer interference—observer was unable to sample incidental takes	Closed
1305256	NMFS observer	12/01/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence SA reviewed incident report and discussed it with the observer. Found no evidence of intimidating behavior. Observer admitted his main fear was that he would drive several hours and be faced with a no show by the operator.	Observer intimidation complaint relating to an email response sent by vessel operator to observer.	Closed
1305260	NMFS	11/22/2013	NED	Northeast	OLE-Close No Further	Observer interference, tamper with or destroy	Closed

	observer			Fisheries Observer Program (NEFOP)	Action Required Verbal Warning	samples or equipment Observer reported fish pick went missing, sample bags were taken w/o permission, vessel operator yelled at observer, used profanity and made it difficult to try and get meal reimbursement information from operator as well as the trip end information.	
1305355	NMFS observer	12/12/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence Observer believed operator wanted to have catch sorted quickly and reset gear.	Observer interference –observer unable to document discarded catch due to the vessel operator asking her not to go out on deck while he was resetting the trawl gear. By the time observer was able to access the deck all the catch had been sorted and/or discarded.	Closed
1305417	NMFS observer	12/17/2013	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Verbal warnings issued	Observer Intimidation and Gear Tampering	Closed
1305417	NMFS observer	12/17/2013	NED	Northeast Fisheries Observer Program (NEFOP)		Same incident as above	
1400208	NMFS observer	01/23/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Information Only No Further Action Required	Observer mistakenly discarded catch while deployed. The crew on deck then told observer not to touch anything and from that point forward. Observer recorded catch and discard by tally.	Closed
1400607	NMFS observer	02/13/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required COPPS: COMMUNITY-ORIENTED AND POLICING PROGRAM	Observer intimidation—observer received a telephone call from a vessel owner/operator)	Closed
1400974	NMFS observer	02/27/2014	NED	Northeast Fisheries	OLE-Closed Verbal Warning	Observer interference and harassment—operator not allowing observers to sample some discards	Closed

				Observer Program (NEFOP)	No Further Action Required	and yelling at observers	
1401115	NMFS observer	03/03/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence	<p>OBSERVER INTERFERENCE—Observer was unable to sample. Animal was discarded before observer could get more than the single picture.</p> <p>Crewman who was asked to assist observer was new to the boat and misunderstood the captain's instructions. Observer explained requirement at the beginning of the trip when the crew was gathered in the wheelhouse, but crew apparently did not hear the instruction.</p>	Closed
1401514	NMFS observer	04/28/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-WW Assessed	Observer Interference—On two separate hauls the captain didn't land seals that had died in the fishing gear. The captain cut the first seal out of the net while trying to hide his actions. The second seal was brought on board then immediately threw it overboard. The captain was told before and after the takes were cut out that seals were needed to be sampled, but he was not very responsive.	Closed
1401516	NMFS observer	04/27/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required VERBAL WARNING	Observer interference—observer was prevented from entering the wheelhouse and was prevented from obtaining proper latitude longitude coordinates, captain provided observer with some odd LORAN data at the end of the trip from his haul log. Captain had a fit, kicked observer's basket and some brief scolding after first haul. Captain had on going childish behavior throughout the duration of the trip—no real conversation, very quiet, stomping around, throwing things, mumbling things under his breath, etc. Observer did not wish to press any kind of legal charges on captain.	Closed
1401528	NMFS observer	04/04/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required VERBAL WARNING	Observer harassment—observer experienced negative interaction with the vessel operator. Observer felt that it was a hostile work environment and that the vessel operator did not want the observer on the boat. Vessel operator	Closed

						allegedly made a statement about wanting to throw the observer overboard and this made the observer feel uncomfortable.	
1401611	NMFS observer	05/19/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required VERBAL WARNING	OBSERVER INTIMIDATION—Observer submitted an Incident Report for intimidation prior to deployment. Observer called the captain to introduce himself and confirm details of the trip. Captain went on an obscenity filled rant about how the entire observer program was "bullshit" and informed the observer that he is unwelcome on his boat, he had taken too many observers, he was going to "raise holy hell" over this and "make my life a living hell." Observer did not go on the trip; another observer was briefed about the potential problems on the vessel prior to deployment.	Closed
1401669	NMFS observer	05/15/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Victim/witness does not want to cooperate with the investigation. Victim/witness did not want to press charges and did not want to participate in any kind of enforcement case Subject has been advised of observer treatment and how he and his crew should conduct themselves.	OBSERVER HARRASSMENT—Observer reported that the subject climbed into the observer's bunk, kissed the observer on the cheek at one point during the trip in the wheelhouse, and sent inappropriate text message to the observer.	Closed
1402545	NMFS observer	05/21/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence Referred back to the observer program for	Observer Interference—minor interference issues related to sampling discards were reported by two observers.	Closed

					outreach.		
1402548	NMFS observer	04/17/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required UNFOUNDED Observer was able to obtain required information	Observer Interference—Captain refused to answer the majority of the questions posed to him by the observer. Observer asked for kept estimates, observer was told he it will be given at the end of the trip. When asked at the end of the trip, observer was told to go out on deck and see. Fish were already neatly packed into totes and about to be offloaded. Observer got tote numbers, but was unable to weigh the totes.	Closed
1402549	NMFS observer	04/07/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required Closed due to lack of evidence Observer did not request incidental take before it was discarded	Observer interference—observer was unable to take sample before operator cut it out of the gillnet.	Closed
1403151	NMFS observer	07/24/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required CLOSED VERBAL WARNING	Observer harassment—observer was yelled at and sworn at by the operator for discarding a fish that he was told to discard by a crewmember.	Closed
1403703	NMFS observer	10/07/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Close No Further Action Required VERBAL WARNING	Observer interference and failure to report an incidental take—observer was unable to sample an incidental take	Closed
1403704	NMFS observer	10/06/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence Observer did not ask or directed the crew to retain bycatch inside the tote for sampling purposes	OBSERVER INTERFERENCE – Observer had bycatch in a tote that he intended to finish sampling when he returned to the deck, however he found the tote empty.	Closed
1403816	NMFS observer	10/07/2014	NED	Northeast Fisheries Observer	OLE-Close No Further Action Required	OBSERVER INTERFERENCE –Observer witnessed a disagreement between two people about the legal requirement to carry observers.	Closed

				Program (NEFOP)	UNFOUNDED Agent spoke by telephone with observer and learned that observer was not interfered with nor was she harassed.	There were no hostile comments directed at the observer. Observer stated that the real issue of concern were how the vessels in RI, who were not carrying observers negatively influencing vessels who were.	
1404096	NMFS observer	11/27/2014	NED	Northeast Fisheries Observer Program (NEFOP)	OLE-Closed Lack of Evidence	<p>OBSERVER HARASSMENT—</p> <p>Crewmember turned the television channel to a pornographic channel. The issue that occurred with the pornography on the television was addressed by both observer and operator, and the crewmember apologized. Crewmember explained that it was not intentional to tune the channel there and there were no further incidents.</p> <p>The single incident on November 21 where crewmember “poked” observer in the hip between groin and buttocks would not constitute a sexual assault but could constitute an assault. There is no evidence that this poke was done maliciously, and although it startled, flustered and made the observer feel uncomfortable. Observer indicated that it could have been an accident due to rough seas, which were recorded at nine feet that day.</p>	Closed
1404277	NMFS observer	10/19/2014	NED	Northeast Fisheries Observer Program (NEFOP)	<p>OLE-Close No Further Action Required</p> <p>Verbal Warning</p> <p>Agent advised the operator that he was required to allow observers to sample incidental takes when requested. Operator left agent a message acknowledging that he now understood he was</p>	<p>OBSERVER INTERFERENCE—unable to sample incidental take</p>	Closed

					required to allow observers to sample incidental takes and that there would be no future issue		
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Open Incidents

Year	2014
Observer Program	Northeast Fisheries Observer Program (NEFOP)
Open Incident	1

Year	2015
Observer Program	Northeast Fisheries Observer Program (NEFOP)
Open Incident	2

Year	2016
Observer Program	Northeast Fisheries Observer Program (NEFOP)
Open Incident	6