

**Law Enforcement Division
Bi-Weekly Field Report
6/1/10 – 6/13/10**

DISTRICT 1

CO David Miller and Sgt. Steven Burton worked complaints of small walleye being kept on Bond Falls flowage. One ticket was issued for a navigation light issue and warnings were given for no personal flotation devices (PFDs), open intoxicants in a motor vehicle, and boat registration violations.

CO Dennis Gast and Sgt. Steven Burton issued a ticket to a person fishing without a license on Clear Lake. Later in the week CO Gast found another subject at Clear Lake who was fishing without a license, in possession of a short trout, an expired boat registration and not enough PFDs for the boat occupants.

COs David Miller and Dennis Gast are assisting the U.S. Fish & Wildlife Service with a dead wolf investigation in Baraga County. The wolf was shot and found alongside a county road.

CO Ryan Aho and Sgt. Marc Pomroy contacted two anglers fishing bluegills on a small lake. One subject was fishing without a license and the boat's watercraft registration was expired.

CO Jason Wicklund observed a large cloud of black smoke while on patrol near Iron River. The CO located the source of the smoke and contacted six individuals having a small party on the property. In the burn pit were TVs, building materials and other household furniture items. Enforcement action was taken.

CO Jason Niemi wrote tickets to two individuals for cutting firewood on state land without a permit. He initially observed them taking firewood from vacant campsites in a state forest campground and decided to check further. This led to the permit violation.

CO Trey Luce apprehended several subjects illegally fishing with live bait on Deer Lake. Enforcement action was taken.

DISTRICT 2

CO Derek Miller watched two subjects dump their garbage in the dumpster at a state forest campground. The subjects were not staying in the campground and explained that they were trying to save money on garbage. Enforcement action was taken.

CO Mike Hammill checked two very talented anglers who had their limit of bluegill and then some. The two anglers had their limit of 50 panfish in their live well. The subjects had stashed an additional limit in another compartment onboard the boat. Tickets were issued.

CO Mike Hammill assisted local deputies serving a search warrant for an ORV helmet that a suspect had worn during a breaking and entering. The subject was caught on film with the distinct helmet. The search warrant recovered the helmet along with a marijuana grow operation of 50 plants in the subject's basement.

DISTRICT 3

CO Andrea Erratt checked a kayaker with no PFD in over 20 feet of water in the Pine River channel by Round Lake. CO Erratt ticketed the kayaker for no PFD and followed him back to his home on the Lake Michigan shoreline.

CO Andrea Erratt stopped an unregistered motorboat being operated by a 15 year old boy. CO Erratt met his mother at the marina and ticketed her for failing to register the vessel.

CO Andrea Erratt responded to a complaint about illegal ORV operation by Standard Lake, where several boulders had been placed by DNRE personnel in an attempt to block vehicles from climbing hills. CO Erratt stopped four ORVs operating on the hills in the restoration area. She ticketed the operators for operating an ORV in a closed area on state land and collected bond from the non-residents.

CO Andrea Erratt exited the DNRE Fisheries Division Office in Charlevoix and observed anglers fishing along the pier in the Pine River Channel. As she checked the first angler, she saw that the other two anglers had seen her and were leaving. When she met the subjects at their car, one said he'd left his fishing license at home and the other said he'd bought his fishing license and left it in his boat. License checks revealed no fishing license purchases. Both were ticketed for fishing without licenses.

CO Carl VanderWall was coaching his son's ball game when he received a complaint of a bear in a tree with four cubs near the local soccer field. There was a tournament at the soccer field and many onlookers had gathered under the tree to photograph and watch the bear. The crowd was dispersed and the road blocked until the sow and cubs climbed down and wandered off.

CO Steve Speigl completed a trespass investigation from last fall that originated from a picture taken with a trail camera of a subject hunting on the complainant's property. After six months and with the assistance of the sheriff's department, CO Speigl was able to track down the subject who trespassed on private property. Warrants are being sought.

CO Andrea Albert stopped an erratic driver who had a suspended license. His poor driving was because his dog had closed the window on his own neck and, instead of pulling over, he was attempting to free it while driving down the road.

CO Andrea Erratt responded to a complaint of a party in the Jordan Valley and found several underage youths in possession of alcohol. Parents were contacted and law enforcement action was taken.

CO Eric Bottorff and PCO Quincy Gowenlock checked multiple anglers and boaters on Cornwall Flooding. Two tickets were issued for no PFDs on boats.

CO Eric Bottorff and PCO Quincy Gowenlock found a camp on state land in a problem area, with live trees cut, no camp registration card, and extensive litter. Enforcement action was taken.

CO Matt Theunick responded to a possible road kill wolf on I-75 in Cheboygan County. Wildlife biologists believe the animal is not a wolf, but possibly a wolf-dog cross. It is currently being DNA tested for final determination.

CO Mark Depew was driving his patrol truck down a back road when he saw the driver of a vehicle throw garbage out of his window and the passenger urinating by the side of the vehicle. CO DePew contacted the individuals and observed numerous beer cans in the car. CO DePew then conducted sobriety evaluations on the driver when the passenger came around the vehicle with his fists clenched. After repeated requests by CO DePew for the passenger to get back in the vehicle, he was taken into custody for resisting and obstructing and possessing open intoxicants in a vehicle. The driver was ticketed for littering.

COs Bill Webster and Joe Molnar patrolled Long Lake and contacted numerous anglers. The checks resulted in a person fishing without a license, an undersized largemouth bass, and an undersized pike which had been stuffed underneath a seat in a boat.

DISTRICT 4

CO Jair Kollash responded to a report of a swamped personal watercraft (PWC) in Lake Cadillac with two subjects in the water clinging to the submerged vessel. CO Kollash contacted the operator and a passenger as they were being towed into a dock by a passing boater. CO Kollash determined that both minor subjects had been consuming alcoholic beverages. Tickets were issued for minors in possession of alcohol and the operator was arrested for boating under the influence.

CO Angela Greenway and Sgt. Kevin Hackworth responded to an ORV injury accident on the state trail system in Lake County. A subject operating a car on the inside of a turn in the trail struck a person on an ORV coming from the opposite direction. The COs provided first aid and worked with the Michigan State Police (MSP) on the accident investigation.

CO Steve Converse was patrolling near Tippy Dam in Manistee County when he was approached by a river guide with a complaint of several subjects operating ORVs in a wetland along the river. CO Converse, Manistee County Sheriff Deputies and U.S.

Forest Service (USFS) personnel were in the area and located four subjects riding on two ORVs as they were coming out of the wetland area. None of the subjects were wearing helmets and they admitted to operating illegally for many miles to get to their present location. As tickets were being issued, eight dune buggies emerged from the same trail. Several of the subjects in the dune buggies possessed open alcohol. Additional tickets were issued to those in violation of the open container law.

CO Jeff Ginn was working a marine patrol in Newaygo County when he contacted subjects fishing from a boat. When CO Ginn inquired if the subjects had caught any fish, the reply was no. CO Ginn asked them why their live well pump was running. The subjects hesitated and then informed CO Ginn that they had two northern pike and one walleye. The walleye was well undersized and a ticket was issued for the violation.

CO Jeff Ginn contacted a subject who was out after his second limit of panfish. The subject was ticketed for 17 fish over his daily limit.

DISTRICT 5

Sgt. Glenn Gutierrez and CO Chris Bowen assisted DNRE personnel in a fire investigation where it is suspected a railroad engine started a fire along the tracks. A search warrant was obtained to inspect the engines. The investigation is ongoing.

CO Bobbi Lively recently went to a jury trial on a case where a subject shot a black bear out of season in the fall while deer hunting over illegal bait. The subject claimed self defense but hid the parts and hide and kept the meat. The subject was found guilty on both counts and awaits sentencing.

A MSP trooper observed a vehicle parked along a road and watched a subject pick up a large snapping turtle and put it in a cooler in the bed of his pickup truck. Knowing the season was closed for turtle, he contacted CO Bobbi Lively. A stop was made on the vehicle and along with the turtle a song bird was also located in the vehicle. Enforcement action was taken.

CO Mark Lutz was first on scene to an ORV injury accident where the dirt bike operator broke his leg. CO Lutz, along with others on scene, rendered first aid and directed emergency units to the victim.

CO John Huspen observed two anglers for 45 minutes before contacting them. Along with numerous marine vessel violations, neither subject had a fishing license. They had a four year old in the boat and told the CO they were just trying to teach the youngster how to fish.

CO Mike Hearn conducted a marine safety patrol and contacted a vessel with a child under six years old who wasn't wearing a PFD. He also contacted a subject who had an undersized bass who said she thought they could be 12 inches.

CO Mike Hearn was called to private property where a dog had been caught in an illegal leg hold trap that was set by the property owner. Additional illegal traps were located and removed.

CO Brian Olsen received a complaint regarding an illegally killed bobcat. He interviewed the complainant and based on the information received, obtained a search warrant for the suspect's residence. With help from CO Joel Lundberg, he executed the search warrant and recovered an illegally killed bobcat taken last fall. A confession was obtained and charges are pending.

DISTRICT 6

During a marine patrol, COs Nick Atkin and Steve Lockwood located a subject with multiple warrants who was fishing on a boat. Not one angler on the vessel had a fishing license. Enforcement action was taken.

During a marine patrol on Saginaw Bay, COs Nick Atkin and Brian Olsen located two subjects in possession of multiple undersized bass. Enforcement action was taken.

During a marine patrol, COs Phil Hudson and Nick Atkin observed a small vessel creating a wake in a slow, no-wake area. When the operator of the vessel saw the patrol boat approaching, the operator turned around and sped off. CO Atkin caught up with the vessel immediately after sounding the siren and ordered the operator to stop. Enforcement action was taken.

CO Holly Pennoni was on patrol when a vehicle passed her and crossed the center line, forcing a vehicle to swerve to avoid a collision. The vehicle then ran a red light and almost collided with another vehicle. CO Pennoni got the vehicle stopped and contacted the driver. The CO had removed the keys from the ignition just before the operator repeatedly attempted to start the vehicle without a key to leave the scene. The driver was arrested and lodged for operating under the influence of alcohol.

CO Joshua Wright was patrolling a game area closed to motor vehicle traffic when he found a truck that was stuck in a mud hole. The occupants also had open beers in the vehicle. Enforcement action was taken.

CO Joshua Wright checked a boat on Saginaw Bay that was trolling for walleye with four rods and two people onboard. The passenger did not have a fishing license and denied that he was fishing. The owner of the boat was issued a ticket for fishing with too many lines.

CO Scott Brown was working a section of the Rush Lake State Game Area (SGA) that is frequently being eroded by ORVs and mudder trucks, when he found ten trucks in the area. CO Brown contacted all of the vehicles as they were tearing up the state land. Tickets were issued to all drivers involved for operating in a closed area.

COs Chad Foerster and Holly Pennoni worked a complaint received from the U.S. Coast Guard (USCG) about a vessel that had sunk to the bottom of the Kawkawlin River while tied to a dock. It appeared as if the vessel took on water after the batteries died and the bilge pump no longer worked. Tow Boat USA was able to float the vessel to the surface and have it removed. Owner information was retrieved and he was contacted by the COs. He has agreed to pay all recovery and cleanup fees.

CO Jason Smith was leaving a complaint he just handled when he observed a large plume of black smoke. Upon locating the source and contacting the homeowner, the CO discovered a large pile of burning shingles, insulation, old furniture, paint cans and other miscellaneous garbage. The homeowner told the CO that he called and got a permit to burn. CO Smith issued a ticket for illegal disposal of solid waste.

CO Jay Person was returning to the dock after conducting a marine patrol on Sanford Lake. He contacted two anglers who were loading their boat and gear. CO Person inquired about their success, to which they replied they got their limit of 70 pan fish. CO Person asked if they knew the limit was 50 for two people. One subject was sure it was 35 as he read it in the fish guide. This subject retrieved the guide from the truck and was shocked to find the limit was 25 per person. As CO Person was dealing with the above subjects, a proud young boy rode up to the CO on his bike and informed him that he caught a 42 inch musky. The CO asked to see the fish which the boy proudly produced from his back pack. Upon measurement, the fish was 30 inches, 12 inches short of the legal limit. CO Person explained how to measure the fish and gave the boy a tape measure to keep. The subjects with the overlimit of panfish were ticketed for the violation.

DISTRICT 7

COs Chuck Towns and Mike Mshar identified and contacted three vessels, 65 feet, 50 feet and 44 feet respectively, all being operated without registrations around Holland and Saugatuck. Additional investigations by the US Treasury Service have begun on these vessels with respect to failure by the owners to pay sales tax and registration fees for a period of several years.

CO Mike Mshar worked a turkey complaint during the last days of the season and contacted a subject who had taken a tom earlier in the season using his wife's tag. The subject was in the process of attempting to take another bird when contacted by the CO.

COs Patrick McManus and Mike Mshar were on patrol in the Allegan SGA and observed juveniles illegally operating a small dune buggy. When they attempted to stop the operators and take them home, a second ORV appeared and followed them to the house, where the operator hid in a shed upon their arrival. As the COs began to impound the machines, the operator of the ORV appeared. The subject turned out to be someone CO Mshar had recently ticketed for ORV violations and arrested on a

felony warrant. The following day it was determined the ORV had been reported stolen from Ionia County. Investigation continues.

CO Patrick McManus reports steady illegal use of ORVs and large trucks in the Allegan SGA with the recent heavy rain. While ticketing several illegal operators, one subject commented to the CO, "I thought the Allegan State Game Area was kind of a free-for-all."

CO Gary Raak obtained a warrant from the prosecutor's office after investigating a false police report call which was placed to the Report-All-Poaching (RAP) line. After several interviews it was determined the caller was involved in a relationship with the reported suspect. When CO Raak reinterviewed the complainant, she admitted making up a complaint related to deer violations.

CO Chris Holmes assisted local police officers in locating a subject who had just threatened to shoot someone. CO Holmes and the officers attempted to stop the suspect, who was walking in the area. The suspect entered a house where he did not live then released a pit bull dog, which began to attack the officers. The dog was shot to avoid injury to the officers. The suspect, who was recently released from prison, was identified and a warrant is being sought for his arrest.

CO Chris Holmes obtained information that a subject was bringing a bobcat to the Plainwell Operations Service Center for a late registration. CO Holmes investigated several sources of computer information and used information compiled by the RAP communication room to positively identify the individual expected at the office. Using personal networking sites, CO Holmes obtained two photographs of this individual posing with a bobcat taken in January in Missouri that he posted on line. After the subject attempted to register the bobcat as taken in Delta County, Michigan, CO Holmes obtained a confession to the real story that it was shot while coyote hunting in Missouri. The subject stated it was cheaper to obtain a Michigan license at the time but he neglected to obtain a seal or register the animal in a timely manner. The subject will be facing charges in Michigan and Missouri related to the taking of this bobcat.

COs B.J. Goulette and Chris Simpson were first on the scene of a bicycle-vehicle accident in Allendale. The COs secured the scene and gave first aid until medical responders and local law enforcement arrived.

CO Dave Rodgers worked complaints of subjects taking overlimits of newly planted trout in the Rogue River. CO Rodgers watched one subject take six undersized trout and conceal them in a bag inside a cooler. When CO Rodgers approached the angler he denied catching any fish. When CO Rodgers found the fish the angler said that he didn't know that it was illegal to catch the fish.

CO Mike McGee contacted numerous anglers along the St. Joseph Pier who were using and possessing rusty crayfish. Hundreds of illegal rusty crayfish were seized and several tickets issued.

DISTRICT 8

CO Peter Purdy made a traffic stop on a subject who littered by throwing an object out of the car window. Upon contact with the subject it was found that their operator's license had been suspended since 2007. Enforcement action was taken.

CO Kyle Bader has been assisting the local environmental agencies with an investigation of high levels of the E-Coli bacteria in a local lake. The contamination may be partially due to large farms upstream of the watershed. The investigation continues.

CO Jason J. Smith contacted two subjects fishing on a local lake. CO Smith's investigation showed that neither subject had purchased a fishing license while one of the subjects had a suspended driver's license. When one subject asked about fines and costs, the second subject reported that a fishing without a license ticket in that court was \$120 fine. When CO Smith asked why they didn't purchase a \$15 license, the subjects had no response. Enforcement action was taken.

CO Dan Bigger contacted a subject fishing on a river who assured the CO that he had purchased a new 72 hour fishing license, but was not able to offer proof of the purchase. Further investigation revealed that the subject had lied about his identity and about purchasing a fishing license. Enforcement action was taken.

COs Damon Owens and Jonathan Warner checked numerous lakes and located subjects who had undersized bass in their possession and others who did not provide adequate PFDs on board vessels. Enforcement action was taken in all instances.

DISTRICT 9

CO Linda Scheidler and Sgt. Tom Wanless conducted a marine patrol on Mott Lake. As the COs approached a group of shore anglers, two of the subjects packed up and started walking away. The COs beached their boat and caught up to the two subjects. One of them did not have a fishing license. The COs also checked two other anglers and neither of them had a valid fishing license. One of the subjects had three warrants for his arrest with bond over \$16,000 and he could not come up with the money. Enforcement action was taken.

While on a marine patrol on Holloway Reservoir, CO Linda Scheidler observed a subject being towed on an inner-tube behind a vessel with no observer on board. CO Scheidler contacted the operator, who admitted he thought he would not get caught. Enforcement action was taken.

CO John Borkovich responded to a search and rescue call of a subject who fell off of the boardwalk and into the St. Clair River. The 42 year old was fishing on the boardwalk when he started to have medical problems, lost his balance and fell into the water. First responders worked into the darkness before calling the search off. At first light the following morning, CO Borkovich and intern Britton Simon, along with members

of other agencies, continued with the search. Approximately six hours later the victim was recovered by divers a half mile downstream from where he fell in.

CO John Borkovich backed up the St. Clair County Sheriff's Department of a malicious destruction of property call. Several subjects were breaking into vehicles at local businesses. When the officers arrived, the subjects were gone; however, CO Borkovich found blood in the area. The CO spoke to a couple of anglers who witnessed the subjects attempting to gain entry into vehicles who also told the CO that the subjects beat a goose and took it with them. Local businesses were notified to be on the look out for the subjects, and several hours later one of them got the subjects on surveillance video and provided it to authorities. The following morning, CO Borkovich observed a group of subjects matching the description of the subjects on the MDOP/goose complaint, on the side of the road, attempting to flag down vehicles. CO Borkovich contacted the subjects, interviewed them and obtained a confession. Enforcement action was taken on the illegally taken goose.

CO Al Schwiderson and Sgt. Tom Wanless conducted a marine patrol on Potter Lake on the Genesee/Lapeer County line. The first vessel they contacted had an expired registration and three subjects bragging about their success for panfish. CO Schwiderson counted their fish and each of the three subjects was over their limit. The subjects had a total of 89 bluegills and crappie. The COs also contacted another vessel with two anglers who had just started catching fish. They did not have any life jackets on board. Enforcement action was taken.

CO Kris Kiel was checking shore anglers at an access site on Lake St. Clair when he contacted two subjects who were in possession of four largemouth bass during the closed season. Three of the bass were between eight and ten inches with the fourth barely 13 ½ inches. One angler admitted to taking all four of the bass and was issued a ticket for take largemouth bass during the closed season.

While working with intern Britton Simon, CO Kris Kiel contacted an angler who was fishing near Metro Beach and had a legal sized bass in his possession. CO Kiel started checking another angler's bucket of bluegill when the first angler walked past the intern toward a stringer and stated, "I think I have an undersized bass". The angler had no idea who Simon was when he made the comment. Intern Simon walked with the angler making small talk and watched as he used his fingers to try to measure the bass. CO Kiel finished his check and walked over to join them and measured the bass with a tape measure and found it was 13 inches.

CO John Borkovich received a RAP complaint on Harsens Island of anglers being hit by the fallout from a shotgun. The complainants were not injured and were more concerned with the suspect's intention of shooting at waterfowl. They were unable to get the registration of the suspect vessel; however, they did get the name on the back of the vessel. CO Borkovich responded with the assistance of a marine deputy and his boat. The subject had shot 12 juvenile geese because they were making a mess on his dock and lawn. Enforcement action was taken.

CO Al Schwiderson received several complaints of subjects violating the slow, no-wake rule on Seven Ponds in southern Lapeer County. While unloading and launching his vessel, he observed a boat go through the slow, no-wake zone in violation. CO Schwiderson caught up with the vessel several minutes later. A marine check revealed there were an insufficient number of life jackets on board. Enforcement action was taken.

Responding to a complaint of an individual selling snapping turtles, CO Dan Walzak contacted a subject in possession of two turtles in the 18" class. Enforcement action was taken and the turtles were set free in a marsh.

Investigating a complaint of subjects fishing in a fish ladder, CO Dan Walzak contacted five subjects within the amply posted area. All of the subjects claimed to know nothing of the rules prohibiting fishing within the fish ladder despite the postings and the fencing around the area. When CO Walzak asked how they got into the area, one of the subjects stated that since the gate was locked they had to jump the fence. Enforcement action was taken.

CO Jonathon Sklba checked four family members who were fishing and found that none of them had a fishing license. CO Sklba ticketed one for fish no license and lodged him at the Monroe County Jail on a warrant with a bond of \$37,000. CO Sklba seized the 36 fish they caught and will be seeking restitution.

CO Kris Kiel and intern Britton Simon worked an evening shore patrol and contacted an angler who had two largemouth bass on a stringer, one of which was undersized. He wanted a break because no one had ever told him that bass season wasn't open. Enforcement action was taken. CO Kiel and intern Simon also worked a marine patrol and issued a ticket to a boater for towing a skier without an observer. During the two patrols they also issued several tickets for fishing without licenses and fishing with too many lines.

While working with intern Britton Simon, CO Todd Szyska found a subject in possession of three bass at Blossom Heath in St. Clair Shores. Later that same day, they contacted an angler at Metro Beach who was in possession of an overlimit of bluegill and sunfish, and another individual who was fishing with no license in possession. Enforcement action was taken.

COs Kris Kiel and Todd Szyska worked a marine patrol on Lake St. Clair with intern Britton Simon. They contacted numerous anglers and caught three different groups of anglers keeping bass out of season. One group was in possession of five bass. Enforcement action was taken. During the same patrol, the COs contacted anglers off of the shoreline near Selfridge Air National Guard Base. When they pulled up, CO Szyska observed a marijuana pipe that was still smoldering on the passenger seat of a boat. The occupants of the vessel had been taking turns smoking the pipe. A canister of marijuana was also seized. A warrant will be sought on the possession of marijuana charge.

ENVIRONMENTAL INVESTIGATIONS

Oakland County

D/Sgt. Verne Koester reports that a defendant appeared for arraignment on two felony counts of release of a hazardous substance to the environment, including waters of the state. The defendant was hired by a Bingham Farms, Oakland County, resident to pump out and remove a 1000-gallon home heating oil underground storage tank (UST) from his residence in September, 2009. The residence was under renovation and was vacant at the time. The morning after the start of the job, a 94 year old resident, 100 yards south, smelled fuel and requested assistance from neighbors in locating the source. Fuel oil was discovered in a ditch that runs through the woods in front of all of the residences and functions as a storm-drain which discharges into the Rouge River. The Franklin Bingham Farms Fire Department was dispatched, recognized the scene as a hazmat situation, and requested assistance from the police department, Oakland County Hazmat Team, and DNRE. A subsequent investigation by the Office of Criminal Investigations revealed the defendant discharged approximately 400 gallons of a water/fuel oil mix into the storm-drain in addition to an unknown quantity into the sanitary sewer system and the ground surrounding the residence. The homeowner contracted an environmental company for the necessary cleanup and has paid \$63,000.00 to date, with more work yet to be done.

St. Clair County

D/Sgt. Ken Montgomery obtained warrants for three defendants violating wetlands protection laws. The first property owner failed to ensure that his contractor disposed of dredged sediment from his property in compliance with a permit issued by the department. The contractor disposed of the sediment into wetlands on another property. In addition, that property owner drained the wetlands on his property. Both property owners and the contractor were charged.

Grand Traverse County

D/Sgt. Vence Woods obtained a three count misdemeanor warrant for solid waste violations. The case stems from the defendant's actions at his 29 acre parcel in remote Grand Traverse County. The defendant has been bringing old mobile homes to the property and dismantling them. The defendant leaves the solid waste generated from the mobiles on the ground and burns it. The defendant has previously been investigated four times in the past ten years and subsequently charged and adjudicated. The court has ordered clean up each time but the defendant continues to return to his illegal enterprise.