

**Law Enforcement Division
Bi-Weekly Field Report
7/12/10 – 7/25/10**

DISTRICT 1

CO Trey Luce worked the night fishing activity at different lakes in western Marquette County. He contacted a group of non-residents on Squaw Lake at 3:00 a.m. and ticketed one of them for possessing short trout.

CO Mark Leadman observed three subjects fishing along the shoreline of Deer Lake near Ishpeming. By the time he made his way to them through the woods, no one was holding a fishing pole. Two of the subjects denied fishing, and the third subject straight up admitted that she had been fishing without a license. It was also discovered that one of the subjects had thrown his fishing pole out into the lake to hide any evidence of his fishing. Once all these facts were gathered, CO Leadman ticketed two subjects for fishing without a license. He issued a verbal warning to the third subject based on her being truthful from the start.

CO Jason Niemi and Sgt. Pete Wright responded to a complaint of an injured loon in Carney. Once located, it was apparent the bird was healthy. It had mistaken wet pavement for water and had made a landing. As a loon can only take off from water, it was stranded and mistakenly reported as injured. The loon was trapped and relocated to a nearby lake.

CO Mark Leadman and Sgt. Pete Wright contacted three ORV operators in the Silver Lake area. They were observed driving through a river and up on a large hill that had just had extensive remediation work done to it. Enforcement action was taken.

CO Matt Eberly responded to a Report-All-Poaching (RAP) complaint that an angler had grabbed a goose and killed it with his hands. CO Eberly followed up the complaint, interviewed the subject, and got a confession. A warrant was received from the prosecutor's office and the man was arrested for killing a goose out of season.

CO Matt Eberly and Sgt. Steven Burton were working near Keystone Beach on the Keweenaw Peninsula last weekend when they met an ORV operator who wasn't wearing a helmet. An investigation led the COs to believe the subject was drunk. After informing the subject he would be going to jail, he became combative. The Officers had to spray him with chemical spray to place him under arrest. He was lodged at the county jail and charged with operating an ORV while impaired, resisting arrest, and failing to wear a helmet.

CO Denny Gast and Sgt. Steven Burton were preparing to conduct a marine patrol on Otter Lake when they came across two subjects fishing without licenses. Both were

non-residents without ID and could not post bond. Both were lodged at the Houghton County Jail for fishing without licenses.

COs Denny Gast, David Miller and Sgt. Steven Burton worked a crop damage complaint over the period of the last two weeks. Many hours of surveillance were conducted on fields in Houghton and Baraga Counties. One ticket for a loaded gun in a motor vehicle was issued and three deer were seized, two of which were shot and left in the fields. The deer are at the forensic lab for ballistic evidence. Prosecution is pending lab results.

CO Ryan Aho assisted the Iron Mountain Police Department with a serious ORV accident within the city limits. The ORV operator failed to negotiate a curve and struck a group of trees.

CO Grant Emery was checking anglers on McDonald Dam when he encountered a subject with an overlimit of bluegills. Enforcement action was taken for the overlimit.

CO Dennis Gast stopped seven ORVs operating on Misery Bay Beach over the weekend. Three of the seven operators received tickets for being unregistered and all received warnings for operating on the beach.

CO Brett Gustafson responded to a wolf complaint where two calves were killed by wolves in Ontonagon County. CO Gustafson spent that night and part of the next day hazing them with cracker shells to get them to leave the farm.

DISTRICT 2

CO John Wenzel received a BOL for a drunk driver in his area. Minutes later he observed the suspect vehicle ahead of him. He radioed in the sighting and found he was the closest law enforcement vehicle within 20 miles. He contacted the vehicle's driver and after conducting several tests, arrested him for operating while under the influence of intoxicants. The driver was lodged in the county jail.

CO Jared Ferguson and Sgt. Darryl Shann started to pull onto a bridge near Indian Lake and observed a subject begin to cast a lure from shore. As he started to cast, he looked to his left and saw the COs near the bridge. The cast stopped, the lure hit the water and the pole was dropped to the ground. The subject started to walk away from the rod. Sgt. Shann contacted him and asked that he walk toward the patrol truck so as to not have the discussion in front of his son and wife. The man was ticketed for fishing without a license.

COs Reid Roeske and John Wenzel worked a salmon tournament in Delta County with assistance from the U.S. Coast Guard (USCG) and the Delta County Sheriff's Department. The tournament was well attended. No major violations were observed. Verbal warnings were given for navigation lights and failure to have fishing license in possession.

COs John Wenzel and Reid Roeske responded to a report of a reckless boater on an inland lake. Once at the scene the COs observed a boat pulling a water skier without an observer. The subject was ticketed.

CO Reid Roeske was patrolling state land when a pickup truck came around a corner in front of him at a high rate of speed. Once the driver of the truck saw the patrol truck, he slammed on his brakes and then attempted to drive slowly past. Contact was made with the driver and two passengers and marijuana and open beer was found in the vehicle. All three subjects were ticketed and one, a minor, was transported to his residence and turned over to his parents.

CO Kyle Publiski with help from CO Gerald Thayer worked an unlicensed charter boat out of Sault Ste. Marie. The owner was ticketed for operating an unlicensed charter. Eight safety violations were also found when an inspection was done on the boat.

CO Kyle Publiski, acting on a complaint, checked a boat with two undersized bass. CO Publiski had checked the same subject back in 2006 and he was written up for undersized fish and no fishing license. Enforcement action taken.

CO Kevin Postma assisted CO Gerald Thayer on a complaint of an overlimit of walleye in Raber Bay. CO Postma caught up to the subject on the road one mile from his home. A search of the vessel came up with three undersized walleyes as well as possession of two limits of walleyes. Enforcement action was taken.

DISTRICT 3

CO Eric Bottorff received a complaint in the Pigeon River Country State Forest at an old cabin site on a recently acquired parcel of state land. CO Bottorff contacted five individuals burning debris and cutting down live trees. Enforcement action was taken.

CO Michael Feagan obtained and served a two count arrest warrant on a subject for burning scrap tires and an air pollution violation.

CO Andrea Erratt patrolled to Beaver Island with her patrol boat. As CO Erratt entered St. James Harbor she observed a teenage boy pulling two young boys on tubes with a boat. At first CO Erratt thought he was towing without an observer. However, CO Erratt observed the mom sitting on the swim platform. CO Erratt stopped the vessel and warned the mother, explaining how unsafe it was to sit on a swim platform while underway and towing.

While on marine patrol on Lake Charlevoix, COs Andrea Erratt and Steve Speigl observed three men fishing from shore. As they approached the anglers, one ditched his fishing rod in the bushes and the second angler set down his rod and started to walk away. The angler who hid his rod in the bushes claimed his line had broken and he did

not have a tackle box. CO Speigl retrieved the rod that still had a hook and rubber worm on the line. The second angler produced his expired 2009 fishing license. The two subjects were ticketed for fishing without licenses.

CO Mark Depew observed a vehicle loaded with junk in an area where illegal dumping occurs. A traffic stop was effected and marijuana and undocumented pills were located. Charges are pending on the drugs.

CO Mark Depew reports a disposition on a recreational trespass during turkey season, in which a hunter shot at a turkey and did not get it, paid \$1,350 in fines and costs, lost his hunting privileges for the remainder of this year and the next three years, and his gun was condemned from the bench.

DISTRICT 4

CO Brian Brosky assisted Michigan State Police (MSP) troopers in Mason County with a young suicidal subject. CO Brosky located the person lying near the US-31 freeway off ramp with a rope tied around his neck. CO Brosky held the subject down, removed the rope and assisted EMS with getting the person transported to a medical facility.

CO Angela Greenway encountered two subjects while patrolling near Wide Waters in Lake County. One subject was standing with a bag between his feet. After speaking with the anglers it was found that the bag contained four undersized bass and that one of the subjects had failed to purchase a fishing license. Tickets were issued and the fish were seized as evidence.

CO Steve Converse conducted a patrol on the Big Manistee River that resulted in the issuance of several tickets to subjects who failed to bring along personal flotation devices (PFDs) on their trip. An additional ticket was issued to a person attempting to take fish with a snagging hook. The subject cut his line as CO Converse approached, but failed to notice that the line was still hanging from the end of his fishing rod. During another river patrol, CO Converse ticketed a subject for possessing undersized trout. The subject had several nice legal sized rainbow trout along with the undersized fish.

Area 4-2 and Area 4-3 Conservation Officers participated in a multi-agency search for survivors and debris from a small aircraft that crashed into Lake Michigan near Ludington. Other on-water agencies involved included the USCG boats and helicopters, Mason, Oceana, and Manistee County Marine Divisions, Little River Band tribal officers and two MSP dive team vessels. One survivor was located by a Good Samaritan vessel and a small amount of associated debris was found. The search for the airplane by MSP sonar devices continues along with shoreline and water sweeps by Mason County Marine Division, DNRE and local agencies.

COs Sam Koscinski and Jair Kollasch conducted marine patrols on the Manistee River which resulted in several marine tickets including the arrest of one subject for operating a watercraft while intoxicated.

CO Brian Lebel checked two anglers fishing on the Muskegon River. When asked how the fishing was they stated they had not caught anything. When CO Lebel asked if there were any fish in the cooler, one subject put his head down and told the CO he'd find some short ones. The cooler revealed seven walleyes, six of which were undersized. One subject told CO Lebel that he'd kept all of the short fish. When he was reminded that the limit was five, thus putting him over the limit, the other subject spoke up and admitted to keeping three of the short fish. Tickets were issued to the two subjects to address the fish violations.

COs Mike Bomay and Jeff Ginn were on marine patrol on the Muskegon River in Newaygo County when they heard tubers screaming for help. CO Ginn maneuvered his patrol boat next to a large group of tubers frantically screaming at the COs for help. The group of tubers had floated over a submerged structure that had multiple hooks and fishing line attached. A female tuber in the group had snagged her foot on an exposed hook puncturing through her foot. The line was still attached to the hook and snagged on the submerged structure. The tuber had been pulled under the water by the force of the river and the pain of the lodged hook and line. CO Bomay was able to provide a knife to cut the line while CO Ginn lifted the tuber into the patrol boat. The barb of the hook was cut and the remainder of the hook removed. First aid was applied and the tuber was able to return to the group a little more cautious and keeping her feet out of the water.

COs Mike Bomay and Jeff Ginn were on a marine patrol on the Muskegon River and observed two anglers wading near shore. Upon contact, one of the subjects claimed to have purchased a license but did not have it with him. The second subject wanted to know the minimum size limit for trout. Upon further investigation a license check revealed that the first subject had not purchased a fishing license and the second subject was in possession of undersized trout. Tickets were issued to address the violations.

CO Mike Wells responded to a complaint of a subject shooting waterfowl during the closed season. Before making contact with the individual, CO Wells observed the subject shoot a pellet gun several times at the geese. The subject was ticketed for the game violation.

CO Jeff Ginn arrested and lodged a highly intoxicated individual at the Thornapple Access Site on the Muskegon River. The subject, who was arrested for disorderly conduct, was part of a large group of tubers who had floated the river in Newaygo County.

COs Troy Mueller and Mike Wells observed a subject throwing litter onto private property during a group patrol policing tubers on the Muskegon River. The subject, who was a minor, was ticketed for possession of alcohol and littering.

DISTRICT 5

CO Joel Lundberg and Sgt. Glenn Gutierrez were patrolling Secord Lake in Gladwin County when they observed a personal watercraft (PWC) jump the wake of a boat within 50 feet of its' stern, propelling the PWC directly toward the COs' patrol boat. The COs stopped the subject and field sobriety evaluations indicated he was under the influence of alcohol. The subject was arrested for operating under the influence in a motorboat.

While working marine patrol on Wixom Lake, COs Steve Lockwood and Jason McCullough checked a boat with two anglers. One of the subjects did not have a fishing license and the two had several bluegills over their limit.

CO Becky Hopkins investigated a complaint of a large pile of solid waste dumped on public land. Among the furniture, pool linings, tires, and other debris, CO Hopkins found a piece of mail containing a name and address. This individual provided the CO with the name of the subject he had paid to clean his yard and dispose of the garbage. This led CO Hopkins to the hired hand who confessed to dumping the trash.

CO Warren MacNeill responded to a loud party complaint in VanEtten State Forest Campground (SFC). When he arrived, he found a very large and loud party taking place, along with illegal fireworks being detonated in the campground. Three subjects were ticketed for disorderly persons in a campground.

COs Warren MacNeill, Brian Engelhard, Rebecca Hopkins, and Bobbi Lively assisted MSP and the Alcona County Sheriff's Department in locating a homicide suspect. The suspect was located at a hunting camp, where he had committed suicide.

While working early morning fishing and marine on Hubbard Lake, CO Brian Engelhard contacted an angler on a PWC before PWC hours. He claimed to have purchased a fishing license and to have taken a boating safety exam but, records indicated otherwise. The subject was issued a ticket for PWC operation before hours and warnings for the other violations.

DISTRICT 6

While on marine patrol on Saginaw Bay, COs Joshua Wright and Seth Rhodea came upon anglers who were doing very well walleye fishing. Once the COs checked the fish on board, they discovered that the anglers were not measuring the fish. They measured two walleyes that were undersized and issued tickets. Also during that same

patrol they checked occupants of a boat that was trolling some distance from the rest of the boats and discovered that he was using too many lines. Enforcement action was taken.

COs Joshua Wright, Dan Lee and intern Brad Belleville worked an evening marine patrol during the Tall Ships Celebration in Bay City and made numerous contacts. Tickets were issued for unregistered watercraft, towing skiers without observers and arrests were made on two different boaters for boating under the influence of alcohol. Numerous warnings were also given.

CO Seth Rhodea responded to a complaint about possible operation of a PWC by a minor. When the CO arrived at the location, he observed two very young children leaving the shore, each driving their own PWC. Contact was made with the father of the children and the children were found to be twin, five-year old boys. The father was ticketed for allowing underage operation of a PWC.

As CO Seth Rhodea approached a bridge on the Black River with several people fishing from it, he observed one of the anglers try to hide a beer can behind the guard rail on the bridge and then drop the can in the water. When CO Rhodea asked him why he dropped the can in the water the angler said, because it was empty. The angler was ticketed for littering.

On a marine patrol on the fourth of July, COs Scott Brown, Robert Hobkirk and Seth Rhodea contacted 72 boaters from Port Austin to Caseville. In addition, four tickets were issued for registration and PWC certification violations as well as 12 verbal warnings for various marine safety act violations. A disabled watercraft was also towed back to shore.

While conducting exercises on Lake St. Clair during an advanced marine school for conservation officers, COs Scott Brown, Ben Lasher and Ken Kovach were almost involved in a collision with another vessel that failed to yield the right-of-way. Stopping after a short pursuit, it was determined that all occupants of the vessel had been drinking. After sobriety tests, the operator of the boat was issued a ticket for reckless operation of a vessel and a local tow company was called to tow them to shore.

CO Ken Lowell ticketed an angler on Tamarack Lake in Montcalm County who took an overlimit of bluegills. The angler stated that he knew the limit was 25 but that he had miscounted his fish. The CO suggested a fish counter and then issued a ticket.

CO Ken Lowell was checking anglers on Second Lake in the Edmore area on Sunday morning. The CO watched as two anglers fished from a boat and seemed to be having good luck. One man held up a fish basket that looked to be quite full and then the two anglers continued to fish. Upon contact both men claimed to have around 20 fish. After a long count both anglers were over their limit of bluegills. The CO wrote tickets to both subjects for overlimits and released all the extra fish that were still alive.

CO Ken Lowell stopped a subject on a county road who was operating an ORV in a careless manner. A license check showed that the operator had a suspended license. Other violations included no helmet, no ORV license and operating on the roadway. Enforcement action was taken.

While on marine patrol on Crystal Lake, CO Ken Lowell stopped a PWC for having an expired registration. Upon contact the young operator told the CO that her uncle owned the machine. The CO contacted the uncle, who was a non-resident and found him to have a warrant for his arrest. The uncle posted bond money and agreed to go to court. The CO also issued the uncle a ticket for the unregistered PWC.

DISTRICT 7

CO Jeff Rabbers received a complaint of trash dumped in the Lowell State Game Area (SGA) and was able to identify the owner of the litter. The subject first denied being involved, but when confronted with the evidence admitted that the property was his and agreed to clean up the litter.

While en route to his residence after working at the Venetian Festival in Berrien County, CO Andy Bauer observed a Lieutenant with the Berrien County Sheriff's Department, Marine Division make contact with two subjects in a parking lot near the boat launch. CO Bauer responded to assist and observed the Lieutenant struggling to arrest a subject who had just dropped a two foot long lead pipe. CO Bauer and the Lieutenant were able to subdue the subject without injuries. The individual was arrested for disorderly and resist/obstruct.

CO Chuck Towns and Sgt. John Jurcich were patrolling the Barry SGA when they observed fresh ORV tracks going into the game area along a power line. Sgt. Jurcich followed the tracks on foot, eventually attempting to stop two machines operating illegally. Each operator accelerated and passed around Sgt. Jurcich after being signaled to stop. Two hours after following tracks and interviewing residents in the area, COs noted a truck leaving a driveway containing two ORVs. CO Towns stopped a car containing one subject and Sgt. Jurcich chased the truck on foot as they attempted escape to a wooded area. One operator was ticketed for illegal operation and failing to stop and a second juvenile operator was turned over to his parent.

CO Mike Mshar contacted a large boat at Lake Macatawa being operated with a dealer registration. Further investigation and interview found the subject had been using the dealer registration improperly for as long as ten years. The operator was ticketed for the violation and the case has been turned over to State Treasury for unpaid taxes on the vessel. In a similar case, CO Mshar arrested an Illinois resident in Allegan County Court for operation of an unregistered vessel which was documented in the Virgin Islands. Additional investigation in this case is underway by the US Department of Treasury.

CO Mike Mshar arrested two subjects in separate incidents for impaired operation of a watercraft from the Kalamazoo River near Saugatuck. Each case began as CO Mshar witnessed operators having difficulty docking their boats, then locating quantities of empty beer cans on board leading to suspicion of the operators being intoxicated.

CO Gary Raak has requested a warrant for a subject who was towing tubes with two subjects, operating too close to a swim raft. Witnesses described the boater's unsafe operation and events which led to the boat striking a group of swans where one was killed.

CO Gary Raak will be charging a subject who used a large rock to scare away ducks from a shoreline. In the process the subject killed one duck, which was recovered by CO Raak as evidence. Witnesses reported the incident providing details used by CO Raak in the investigation.

DISTRICT 8

CO Kyle Bader assisted the local authorities with the arrest of an armed robbery suspect.

CO Kyle Bader was near the scene of a larceny when the suspect fled into a corn field. CO Bader positioned his vehicle in the path of the suspect on the opposite side of the field. When the suspect exited the field, CO Bader was able to apprehend the suspect and turn him over to the pursuing authorities.

CO Al Mendez assisted the Eaton County Sheriff's Department with the investigation of a boating accident and possible drowning.

CO Jason J. Smith contacted a subject carrying a can containing two short bass. When CO Smith asked the subject why he had two short bass the subject replied that he was looking for someone to give them to. Enforcement action was taken.

DISTRICT 9

CO Todd Szyska reports the court case of the goose hunting firearms injury from September 2009 was finally wrapped up in court. After ballistics testing by MSP of the projectile taken from the victim's head at the hospital, it was conclusively determined to have come from one of the shooters. Both subjects had different legal counsel and had different court dates. The subject whose projectile was proven to be in the victim's head pled no contest and a guilty plea was entered in open court. He was found guilty of attempt discharge of a firearm causing injury or death. He had to pay \$3,072 restitution (costs of the victim's hospital bills) and \$500 in fines. The subject's hunting privileges were revoked for one year. The second subject pled no contest and a guilty plea was entered in open court to reckless use of a firearm.

While on a marine patrol, CO John Borkovich heard a BOL of a vessel which fueled up in Marine City with \$162 of gas and paid with a bad credit card. A short time later the CO and a sheriff's department marine boat stopped the 26 ft. Sea Ray near Port Huron. It had an expired registration and the operator could not produce any paperwork on the vessel. He stated that he purchased the vessel for \$1000. The officers contacted the previous owner of the vessel, who explained he sold it to the subject; however, never received payment. The investigation continues.