

## JUSTICE NEWS

### Department of Justice

Office of Public Affairs

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## **North Carolina Commercial Fisherman Pleads Guilty to Illegally Harvesting and Selling Atlantic Striped Bass**

Dewey W. Willis Jr. of Newport, North Carolina, pleaded guilty today in U.S. District Court in Wilmington, North Carolina, to federal charges regarding the illegal harvest and sale of Atlantic striped bass from federal waters off the coast of North Carolina during 2010, the Justice Department announced today.

This multi-defendant investigation began as a result of the National Oceanic and Atmospheric Administration (NOAA) receiving intelligence and directing the U.S. Coast Guard to board the fishing vessel *Lady Samaira* in February 2010, based on a complaint that multiple vessels were fishing Striped Bass illegally. Along with 13 other commercial fishermen, Willis was charged with violating the Lacey Act, a federal law that prohibits individuals from transporting, selling or buying fish and wildlife harvested illegally. Additionally, Willis, along with 11 of these fishermen, also has been charged with filing false reports in connection with the illegally harvested fish. Specifically, the indictment against Willis alleges that he transported and sold Atlantic striped bass, knowing that they were unlawfully harvested from federal waters off the coast of North Carolina. In an effort to hide his illegal fishing activities, Willis, falsely reported harvesting these fish from state waters, where it would have been legal.

Willis is licensed by the state of North Carolina and NOAA to fish in state waters only for striped bass. The defendant faces a maximum sentence of five years in prison and a \$250,000 fine. A sentencing hearing has been scheduled for Dec. 12.

“The illegal poaching of striped bass by commercial fishermen has a major impact on the survival of this iconic fish resource and has the potential to devastate the future livelihoods of law abiding commercial fishermen,” said Assistant Attorney General John C. Cruden for the Justice Department’s Environment and Natural Resources Division. “Today’s plea agreement demonstrates the department’s dedication to pursuing those who fail to respect the law and fail to adequately monitor their harvest to stay within legal limits.”

“Our office was pleased to partner with the Environment and Natural Resources Division of the Department of Justice in this significant case,” said U.S. Attorney John Stuart Bruce for the Eastern District of North Carolina. “This prosecution makes clear that efforts to circumvent laws regulating commercial fishing will be enforced vigorously.”

In early spring each year, wild coastal striped bass, *Morone saxatilis*, known regionally as “rockfish,” “striper” or “rock,” enter the estuary or river where they were born to spawn and then return to ocean waters to live, migrating along the coastline. They may live up to 30 years and reach 50 pounds or more. The population of coastal Atlantic striped bass depends heavily upon the capability of older, larger, female striped bass to successfully reproduce.

Under federal law, Atlantic striped bass may not be harvested from or possessed in federal waters. This ban on fishing for Atlantic striped bass in federal waters has been in place since 1990 due to drastic declines of the stock that occurred in the 1970's. North Carolina allows fishermen to harvest fish from state waters, but often limits fishermen to no more than 100 fish per fishing trip. Commercial fishermen are required to report on a fishing vessel trip report the fish harvested from state waters; that report is then submitted to NOAA's National Marine Fisheries Service (NMFS). NOAA uses the information on this report to assess the fishery and its sustainability throughout the eastern seaboard.

According to the Atlantic Marine Fisheries Commission, "striped bass have formed the basis of one of the most important fisheries on the Atlantic coast for centuries. Early records recount their abundance as being so great at one time they were used to fertilize fields. However, overfishing and poor environmental conditions lead to the collapse of the fishery in the 1980s."

The North Carolina Division of Marine Fisheries, along with other states, has reduced the catch limits for the 2015 striped bass commercial fishing season in the Atlantic Ocean and Albemarle Sound/Roanoke River areas, citing a decline in stocks. The division cited 2013 surveys revealing that the female spawning stock has been steadily declining. The reduction applies to all commercial and recreational striped bass fishing for all the eastern coastal states.

The Lacey Act makes it unlawful for a person to transport or sell fish that were taken in violation of any law or regulation of the United States and carries a maximum penalty of five years in prison and a fine of up to \$250,000, plus the potential forfeiture of the vessels and vehicles used in committing the offense.

The investigation was conducted by the Law Enforcement Offices of NOAA, with assistance of the Investigative Service from the U.S. Coast Guard, the North Carolina Marine Patrol and the Virginia Marine Police. This case is being prosecuted by Trial Attorney Shennie Patel of the Justice Department's Environmental Crimes Section and Assistant U.S. Attorney Banumathi Rangarajan for the Eastern District of North Carolina.

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Environment and Natural Resources Division

**Topic:**

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Environment

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