

SALT WATER SHRIMP LAW ENFORCEMENT: ITS EVOLUTION IN TEXAS

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Abstract: The purpose of this paper is to show the results and the impact of the Texas Shrimp Conservation Act and the enforcement of shrimp laws in Texas. Enacted in 1959, it provides for open and closed seasons, sizes of shrimp, trawl and door sizes, licenses needed, and for the patrol and enforcement of the Act. It provides that all salt waters in Texas, wherever shrimp were found, would be patrolled both by aircraft and boat. This paper shows some of the problems experienced in the patrol activity, the type of boats and aircraft used, enforcement procedures and the results of these patrol activities on the Texas Coast from the year 1959 thru 1977.

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The seasons and means and methods of taking shrimp from the waters of Texas are regulated by the "Shrimp Conservation Act." This Act was passed by the Texas Legislature in May 1959 and was first enforced in June 1959. This Act states that all shrimp resources found in Texas will be conserved and protected from depletion and waste in order that the people of Texas and their posterity may enjoy the most reasonable and equitable privileges in the ownership and taking of such shrimp resources.

This Act also defined the "Coastal Waters" of Texas, set up inside and outside waters and named the major bays. It also provided for research and enforcement of this Act.

Section 14 of this Act provided for an adequate number of wardens and patrol vessels or aircraft to be employed by the Commission in the coastal counties and coastal waters of the State to enforce the provisions of this Act.

It had been determined that the laws of Texas would be enforced to 3 Marine Leagues or 10.33 statute mi. into the Gulf of Mexico. This area from land outward would be known as outside waters and all other would be inside waters.

It was soon found that there was a large migration of small brown shrimp from the Bay to the outside water during the months of June and July and a closed season was set in outside waters from 1 June through 15 July each year. However, this closed season could be adjusted 15 days either way. Also, the season was closed in the outside waters from 16 December thru 1 February each year through 7 fathoms (42 ft) and the season was closed the year round at night out to, and including, 7 fathoms. At that time we had approximately 2,200 Gulf shrimp boats landing their catch in Texas Ports. Game Wardens therefore, became very active in patrolling our 375 miles of coastline in 1959. The first patrol boats were small outboards, some Bay cruisers that could venture into the Gulf on calm days, and a very limited patrol by a single engine aircraft. Then a 75 ft. shrimp boat with a top speed of 10 knots was leased for the summer closed season patrol. Each year various types of boats were leased for shrimp patrol for the 45 day closed season, but budget limitations prevented the leasing of the type boats actually needed for our wardens to apprehend the well equipped violators.

In 1966 things really began to look better for game wardens and worse for the shrimp thieves. The Department purchased a new twin engine 310 Cessna aircraft that was used for patrol along the coast. They also purchased 2 patrol vessels, the "Capt. Gentry" and the "Capt. Sloan". The "Capt. Gentry", a 54 ft. steel hull Breaux built boat powered by two V-871 diesel engines, was a welcome sight to many dedicated coastal game wardens. This fine patrol boat was equipped with the best radar and electronic equipment available at that time. A safe ship it was and outlaw shrimpers soon began to discover that their illegal activity was becoming less profitable. On the lower coast the 36 ft. fiberglass "Capt. Sloan" went into action and effective shrimp patrol was actually becoming a reality. At this time there were approximately 2,900 Gulf shrimp trawlers landing their catch in Texas Ports.

With the aircraft keeping tabs on the shrimp fleet and also catching them in illegal water, and the patrol boats, "Gentry" and "Sloan", in the Gulf, and by using the large outboard boats as much as possible, the outside waters were patrolled until 1968 when a

patrol boat was added on the mid-coast. This was the "Capt. Cowsert" and when it joined the fleet the coast was covered much better.

As years passed, the shrimp industry continued to grow until in 1972 there were almost 3,300 shrimp trawlers operating in Texas waters. This made necessary the growth of effective law enforcement. A major factor in keeping up with the time is, as always, having proper equipment to handle the job.

As early as 1974, Frank Dickerson and Carl Covert began to meet with the Austin staff in regards to up-dating equipment used for Gulf patrol. Covert, Director of the upper coastal region suggested a patrol boat in the 30 ft. range, seaworthy enough for Gulf patrol but also small enough to be used to patrol major bays for illegal shrimping and oystering when not in use in the Gulf.

Dickerson, Director of the lower coastal region, advised the lower Gulf waters were much too rough for regular use of a 30 ft. type craft and he requested a 65 ft. craft seaworthy enough to compete with the best Gulf trawlers.

These veteran Directors both had one thing in common. "We want speed" they told the Austin staff. Violators on the lower coast continually run for the Mexican border and upper coast violators dash for the Louisiana line. Also, a boat spotted by aircraft could be long gone before a patrol boat could get to its location. The 3 patrol boats that were available were not able to compete where speed is concerned.

After many hours of research and negotiations with boat manufacturers in Louisiana and Texas, a design was settled on for the 2 types of crafts and plans were approved for the purchase of 4 30 ft. boats and 1 65 ft. patrol vessel.

The 30 ft. boats are of the deep V type, able to take rough seas at a good speed, built to the specifications of much larger boats. They have 3/16 and 1/4 in. marine all welded aluminum throughout. Only stainless steel and marine aluminum were used in these boats to cut corrosion costs. They are powered by 2 350 hp General Motors gasoline engines. They cruise at 28 to 30 mph and top end at 40 mph plus. They have a cruising range of over 300 miles and are designed for boarding shrimp trawlers in the Gulf and equipped to stay several days away from homeport.

The 65 ft. ship is also all aluminum and stainless steel, powered by 2 V-12 Diesels and can maintain a speed of 28 mph plus; it is also designed to patrol for long periods of time, be away from homeport as long as a week at a time. Each of the boats is equipped with the best electronic and communication systems available anywhere.

Section 77.025 of the Shrimp Conservation Act deals with the confiscation and disposal of unlawfully possessed shrimp. This provision of the law states that any cargo of shrimp taken unlawfully shall be confiscated, sold, and the proceeds deposited in a suspense fund and if the person charged is found guilty the proceeds are deposited in the State Treasury. If the person is found "not guilty", the money will be returned.

During the summer closed season of 1976 the new 65 ft. ship was christened the "Capt. Sprott" and began work on the lower coast. The first season netted 52 Gulf trawlers in violation and 72 citations being issued. The amount of fines was \$71,037.00 with 19,125 pounds of seafood confiscated that was sold for \$30,193.00. Only one of the 30 foot boats was complete for the 1976 closed season, but for a 45 day start, she yielded 33 boats in violation and resulted in \$20,366.00 in fines and confiscated seafood.

June 1, 1977 all 4 30 ft. patrol vessels had been tested and delivered and been used in the major bays to check for illegal shrimping and oystering. They were stationed at strategic points on the upper coast with the Capt. Sprott at Rockport and the Capt. Gentry at Freeport on the mid-coast.

The summer closed season of 1977 started slowly on the upper coast with most of the activity from Port Aransas south. In the 45 days following 1 June, with assistance from aircraft patrol, the "Capt. Sprott" captured 90 trawlers operating in closed waters, resulting in 117 citations being issued and a total in fines and confiscated seafood of \$56,034.00.

The 4 30 ft. patrol boats and the Capt. Gentry had only apprehended 6 illegal trawlers on the entire upper coast until the last week of the closed season when a large amount of white shrimp moved into closed water and the outlaw boats tried to get them. Another 28 boats were caught in the last 5 days and a total for the season of 54 cases was

filed, making the total amount of fines and confiscated seafood for the upper coast \$38,667.00.

Our effectiveness in Gulf patrol has now grown from where in 1959 about 5 outlaw boats were apprehended, to 1977 when a total of 122 trawlers were apprehended. With the new boats in use, and with aircraft patrol, we have now become a very formidable patrol force in our part of the Gulf.

The word on the Texas Coast is "there is no use running from them P.T. boats, they are just too fast".