

New Bedford Fishing Boat Captain Pleads Guilty to Interfering with Coast Guard Inspection

A former New Bedford fishing boat captain pleaded guilty today in federal court in Boston to interfering with a U.S Coast Guard (USCG) inspection of a fishing boat off the Massachusetts coast.

Thomas D. Simpson, 57, of South Portland, Maine, pleaded guilty today to one count of destruction or removal of property subject to seizure and inspection. U.S. District Court Judge Indira Talwani scheduled sentencing for Nov. 28, 2018.

Simpson was the captain of the Fishing Vessel Bulldog, a New Bedford based commercial fishing vessel and one of several fishing vessels owned by Carlos Rafael. On Sept. 25, 2017, Rafael, often referred to as "The Godfather," was sentenced in federal court in Boston to 46 months in federal prison on a variety of charges related to the operation of his commercial fishing business.

On May 31, 2014, the Bulldog was engaged in commercial fishing off the coast of Massachusetts when the USCG boarded the vessel to perform a routine inspection of the Bulldog and its fishing equipment. At the time of the boarding, the Bulldog's net was deployed in the water and the crew was actively fishing. The USCG Boarding Officer encountered Simpson in the Bulldog's wheelhouse and instructed Simpson to haul in the fishing net for inspection. The fishing net is controlled from the wheelhouse by an electric winch, which Simpson activated, but instead of hauling the fishing net onto the vessel, he let out

more of the cable attaching the net to the vessel. When the USCG Boarding Officer realized that Simpson was letting the net out, he instructed Simpson to stop and to haul the net in. Simpson ignored the order and continued to let out cable until the net became detached from the Bulldog and sank.

The USCG and the National Oceanic and Atmospheric Administration (NOAA) hired a salvage company, at a cost of approximately \$15,000, to retrieve the net from the ocean floor. An inspection of the net revealed that it had three distinct and separate layers of netting in violation of commercial fishing regulations. When two or more fishing nets are placed on top of each other, the size of the openings are reduced. The reduced size net openings hinder younger, smaller fish from being able to escape the net. The prohibition on double or triple lining fishing nets is intended to maintain the size and viability of the fishing stock and reduce overfishing. The use of illegal nets may result in fines and forfeiture of fishing equipment.

Simpson faces a sentence of no greater than five years in prison, three years of supervised release, and a fine of \$250,000. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

United States Attorney Andrew E. Lelling; Richard D. Cox, Special Agent in Charge of the U.S. Coast Guard Investigative Services, Northeast Region; and James Landon, Director of the U.S. Department of Commerce National Oceanic and Atmospheric Administration, Office for Law Enforcement, Northeast Enforcement Division, made the announcement today. Assistant U.S. Attorney David G. Tobin of Lelling's Major Crimes Unit is prosecuting the case.