



# ***National Association of State Boating Law Administrators***

## **2012 Law Enforcement & Training Committee**

Subcommittees:  
Techniques and Technology  
Training and Certification

### **Final Report**

**8-3-12**

A handwritten signature in blue ink, reading "Joel L. Wilkinson".

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**Chairman Joel Wilkinson (ME)**

## **Enforcement & Training Committee**

### **Enforcement Techniques & Technology Subcommittee**

#### **FINAL REPORT**

##### State Members:

Stephanie Weatherington, AR, Subcommittee Chair  
Michael Pratt, DC  
Burke Waldron, AK  
Adam Gormely, ME  
Raul “Skip” Camejo, CT  
Jeff Weaver, GA

Joel Wilkinson – LE Chair  
Rodger Norcross – V-Chair  
Darren Rider – Ex Board  
Mike Baron – USCG Rep.  
Jeff Wheeler – USCG Rep.

##### Associates

Andy Cox, FLIR  
Tina Cardone, C-Port  
Richard Carson, US Power Squadron  
William Gossard, NTSB  
Cindy Kalkomey, Kalkomey Enterprise, Inc.  
Emily King, NSBC  
Dan Maxim, USCG Aux.  
Dana White, Brunswick Commercial  
Karen Steely, Aaron Foundation

The 2012 Enforcement Techniques and Technology Subcommittee had a very productive and engaging year. The Charge Leaders and members of this subcommittee were truly outstanding and a pleasure as always to work with. We couldn't have made the strides and produced the quality work without these dedicated individuals and I offer them my sincere “*Thank You*”. The Charge Leaders kept focused and on-track, completing work in advance of deadlines and generally making my job easy. We worked on four charges this year; resulting in one position letter, a resolution, a PFD tri-fold pamphlet (available for use by any department), a break-out training session for the upcoming Conference, the creation of a “living” list of available marine type phone apps for use by recreational boaters and marine law enforcement officials and a research survey regarding the creation of an app specifically for marine law enforcement officers.

Looking forward I want to take this opportunity to suggest potential follow-up charges for next year. I think we can all agree the use of technology in general is exploding; in fact it has become a part of everyday life for most of us. Therefore, I would like to see our work on phone apps continue. The current list of apps needs to be reviewed and kept up to date with the latest information. Also, based upon our marine law enforcement app survey I believe it merits further probing on exactly what type of app do we as a whole want and/or need and research in the feasibility of such a project. I realize this is a huge undertaking and quite possibly may not be able to be completed in just one committee year but I think there is enough interest and the potential to create a truly unique, time-saving and possibly even life-saving product it warrants consideration.

Once again I am proud of this subcommittee's work over the last year and I certainly hope it meets or exceeds your expectations.

Thank you.



Chair, Stephanie Weatherington, (AR)

## 2012 Charges

1. Survey the states and create a list of technologies and training resources. (NASBLA 2.3, 2.4, 3.4, 3.5, 4.2,) (RBS 6.5, 8.3, 9.2)

*Identify new and emerging technology, and continue to build upon previous subcommittee resource information and post as resources and information to marine law enforcement. Get training information and link to users. (Possible projects – GPS Forensics and Phone APPs) –*

### ***Skip Camejo and Mike Pratt, Charge Leaders***

Very early in the committee year, Raul “skip” Camejo and Mike Pratt committed to investigating and developing two subject matter areas; GPS Forensics and Phone APPs for marine law enforcement. Skip quickly reached out to Officer Paul Alber of Palm Beach Florida Police Department. Paul has developed a GPS Forensics training program in collaboration with GPS equipment manufacturers. Over the course of this committee year Skip and Paul have refined and outlined what is to become an 8 hour course, with hands on training of both GPA software and hardware to assist the marine law enforcement officer in the investigation of both crimes and accidents.

In addition to outlining the GPS Forensics course Paul has developed a 45 minute presentation to be delivered at the Annual Conference in Mobile, AL during a breakout session tentatively scheduled for Monday September 10, 2012. The course is simultaneously being formatted to meet the training standards of NASBLA's BOAT Program. Mark DuPont NASBLA's BOAT Program Director has provided Paul

with the template and various examples of formatting of learning objectives and testing and evaluation standards, The goal of this charge is to have the eight hour block of instruction finished and approved by the BOAT Program Director and presented to the BOAT Program Advisory Board, immediately following the 2012 NASBLA Conference. (DRAFT PPT attached as APPENDIX A)

Officer Paul D Alber  
Town of Palm Beach Police Department  
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Palm Beach FL 33480  
[Palber@palmbeachpolice.com](mailto:Palber@palmbeachpolice.com)  
Work: 561-838-5454  
Cell: 561-436-4866

The second aspect of this charge was to take a look at existing phone APPs, explore what's available and what do officers on the water need in the way of supporting technology. Early in the process Mike and Skip identified a number of APPs currently utilized in isolated instances; "I-Watch" seems to be the premier vendor in this subject area

Mike Pratt has begun an APP listing, on Basecamp which is (attached as APPENDIX B)

Stephanie Weatherington emphasized that this committee should be looking for a universal APP across the country and not dependent on a local server. She further stated that this charge has opportunity to expand into two areas – for the recreational boater and specifically for LE to use in their daily job.

The Committee seemed united in developing a product resource list as this year's charge product and also to design a survey model to poll NASBLA membership on how APPs are currently being used and what is the area of greatest demand. The survey results may well guide this subcommittee in the development of charges for the 2013 committee year. (Survey and survey results attached as Appendix C)

2. Develop a branded message from law enforcement to utilize in promotion of life jacket wear and various technologies available to the RBS boating public. (RBS – 2012 4.3)

*Create NASBLA-branded material for utilization by marine law enforcement to the RBS boating public on the various activity- specific and new technologies of life jackets available to promote and increase life jacket wear. (Possible training and familiarization for marine law enforcement) –*

***Adam Gormely and Dan Maxim, Charge Leaders***

Stephanie Weatherington confirmed and clarified that the Informational material for law enforcement must be focused on delivering a safety message to the RBS public. The previous recommendation of safety messaging to enforcement would be outside of the intent of this specific charge.

Adam Gormely offered that he and Dan Maxim have done a lot of work on Inflatable's.

Adam pointed out that research the fundamental problem of people not wearing a jacket --- This product needs lots of pictures – clear – and with a pointed message.

Based on a tri-fold previously created Adam and Dan did a complete re-design on the tri-fold and based on a rough layout. The design and photos have been forward to Trapp Communication for final layout and design work. The finished draft is expected no later than June 1, 2012.

Project tri-fold was completed on July 12, 2012 and is (Attached in Appendix D)

3. Ensure passage of this committee's previous work on Resolution 2011-1, which was tabled at the 2011 Annual Conference Business Meeting over controversial language contained within the Resolution.

*Final passage of Resolution of 2011-1 will create an atmosphere nationally, within the marine law enforcement community, that it is no longer acceptable for uniformed officers to not wear a life jacket while underway.(Collaborate with Regional Organizations) –*

**Burke Waldron, Rodger Norcross and Darren Rider – Charge Leaders**

This group has gathered regional policy and resolution drafts on the Mandatory Wear for Law Enforcement, which have been drafted and approved by both NABA and SSBLAA. Burke Waldron did a great job tracking the regional revisions and eventual passage in the two eastern regions. WSBA may not vote until their conference.

Burke forwarded all three Regional Drafts and the only issue seems to be some language revisions with WSBA, Jeff Johnson has offered to do some word-smith of the language, not necessarily a revision of content. Burke forward Jeff's wording suggestions to the group and those suggestions have been incorporated into the final draft Resolution proposal for 2012.

The final DRAFT Resolution for membership consideration at the 2012 Annual Conference is (Attached as APPENDIX E)

4. Evaluate and make recommendations on the Model RFP created by ABYC utilizing ABYC standards in the acquisition process of purchasing vessels for marine law enforcement.

*A small task group has been working with ABYC over the last year to create a matrix based on the ABYC standards, in plain English. This subcommittee will evaluate the comprehensive listing of vessel elements and make recommendations to fill any gaps overlooked by the task group. The finished ABYC matrix and Model RFP will be reviewed and approved by this subcommittee, as a resource in the acquisition of law enforcement vessels. –* **Burke Waldron and Andy Cox – Charge Leaders**


After two committee years of evaluation and assessment this committee has come to the conclusion that the ABYC matrix, while worthy of reference does not provide additional resource support in the acquisition of small vessels for the use in marine law enforcement.

During the February 28<sup>th</sup> meeting in Lexington it was the unanimous decision of this committee to formally dissolve this charge in the form of a letter from the Subcommittee Chair Stephanie Weatherington to the Enforcement Committee Chair, Joel Wilkinson, (ME)

(Attached as APPENDIX F)

## APPENDIX A

Slide 1



Introduction to GPS Analysis

Officer Paul D. Alber  
Palm Beach Police

Slide 2

### Objectives


- Learn the history of the GPS system
- Determine the components of the GPS system
- Gain a basic understanding of how GPS works
- Discover the wide variety of available devices
- Learn the types of evidence or data can be recovered from GPS receivers
- Discover the tools available for forensic GPS examinations

Slide 3

### Objectives

- Learn the best practices for device seizure and evidence collection
- Understand the legal ramifications involved with GPS Forensics
- Discover how to conduct a GPS examination and analyze the data
- Learn about case preparation and data presentation


Slide 4



### What is GPS?

The Navstar Global Positioning System (GPS) is a satellite navigation system developed by the United States Department of Defense to fill the military's need for very fast, very accurate, worldwide navigation

Slide 5



### GPS

- Provides pinpoint accuracy in all weather, 24 hours a day.
- Civilian accuracy is typically better than 30 meters, sometimes less than 2.
- Accuracy can be within centimeters when utilizing differential GPS

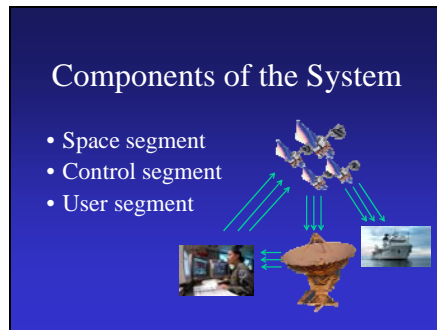
Slide 6

### History

- The U.S. military started using satellite navigation in the early 1960's
- The Navstar system was started in 1973 at a cost of over \$12 billion
- The system was a component of the "Star Wars" defense system of the 1980's



Slide 7



Slide 8

### Space Segment


- 24 satellites in the original constellation
- 31 satellites in active network, 3 or more back-up satellites
- 5 or more satellites in view at any time
- Altitude 12,600 miles



A photograph of a GPS satellite in orbit above the Earth's horizon.

Slide 9

### Control Segment



A photograph of a large parabolic dish antenna used for communicating with GPS satellites.

- Master Control located in Colorado Springs
- 5 monitor stations located along the equator
- Constant monitoring and transmission of corrected data is the key to accuracy



Slide 10

### User Segment



GPS serves a variety of military and civilian users in applications ranging from navigation to positioning, surveying, and time keeping

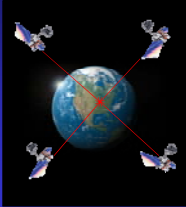
Slide 11

### How does GPS work?



Slide 12

### Distance = Speed x Time



- Satellites transmit a **timed** signal which is read by the receiver
- The signal travels at the **speed** of light (186,000 miles per second)
- Receivers calculate the **distance** to the satellite

Slide 13

### Big numbers

- Speed of light- it takes the satellite's signal 6/100ths of a second to reach a receiver
- An error of 1/100 of a second would result in an error of 1860 miles
- Each satellite carries 4 atomic clocks
- The GPS system measures time in nanoseconds, or billionths of a second

Slide 14



If you were 328 miles from Lansing, Michigan, you could be anywhere on the perimeter of a circle with a radius of 328 miles.

If you were 328 miles from Lansing, Michigan, AND 387 miles from Richmond Virginia, you could only be at two points where the circles intersect. If you were 328 miles from Lansing, Michigan, 387 miles from Richmond, Virginia, AND 368 miles from Memphis, Tennessee, you could only be in one place, Lexington Kentucky.

Slide 15

### Getting a Fix

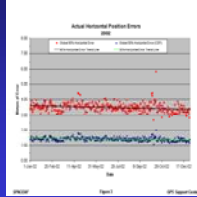
- Receivers need 3 satellites in order to calculate a position at sea level
- Receivers need 4 satellites in order to calculate position and altitude

In the three dimensional world, it takes four spheres, rather than three circles, to determine your position. A receiver can calculate your position at sea level with three satellites (Three spheres plus the earth as the fourth sphere). Four satellites are required to calculate position and altitude.

## Slide 16


### Accuracy

- Within 100 meters at least 95% of the time
- Typical civilian accuracy is less than 30 meters, sometimes less than 2 meters
- Differential GPS accuracy can be sub-centimeter



## Slide 17

### Differential GPS



- Differential GPS is an enhanced system created by the U.S. Coast Guard for safe harbors and harbor approach
- The system consists of a series of receivers and antennas which calculate GPS errors and transmit correction data
- The FAA implemented WAAS, an accuracy enhancement system similar to differential, utilizing satellites to transmit corrections

## Slide 18

### Receiver Round-up:

GPS's Come in All Shapes and Sizes to Serve Users in a Wide Variety of Applications


- Boating
- Fishing
- Hunting
- Driving
- Biking
- Hiking
- Running
- Golfing
- Tracking



Slide 19

### Types of Data

- Track lines / Track Points
- Waypoints / Points of Interest
- Recent Destinations / Addresses
- Routes
- Navigational Data (Speed, Heading)
- Unit History
- Photographs
- Phone Numbers
- Text Messages



Slide 20

### Track Lines:

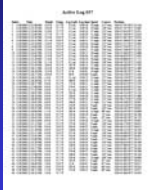
A visual representation of a GPS device's movement



Track lines from this case documented multiple trips smuggling Brazilians into the US from the Bahamas.

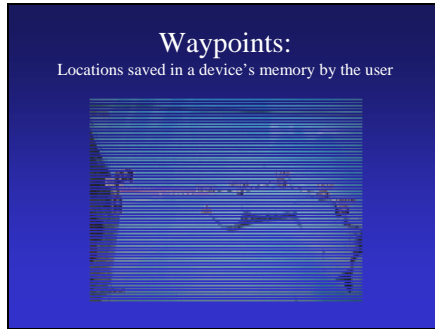
Slide 21

### Track line data can hold significant evidence

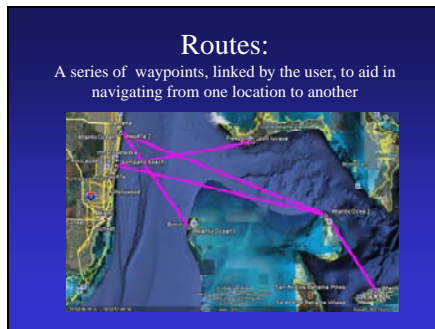


- Locations
- Dates
- Times
- Headings/Directions
- Speeds

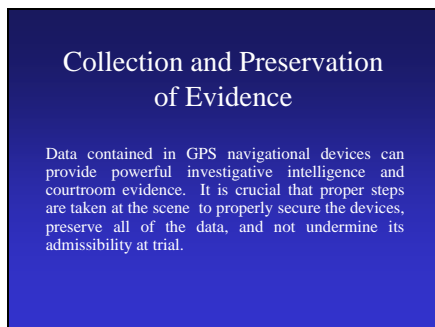
Slide 22



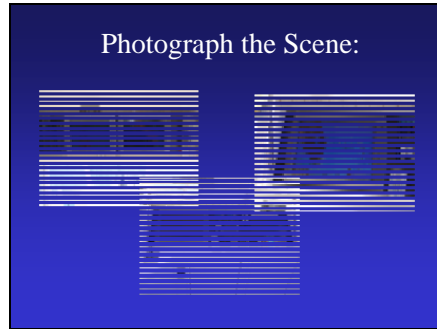
Slide 23



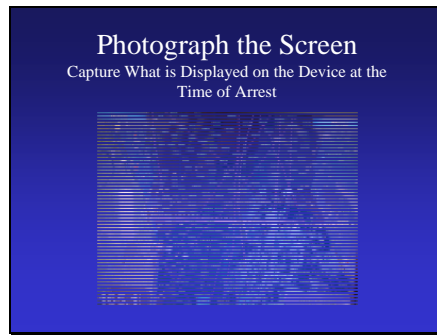
Slide 24



Slide 25

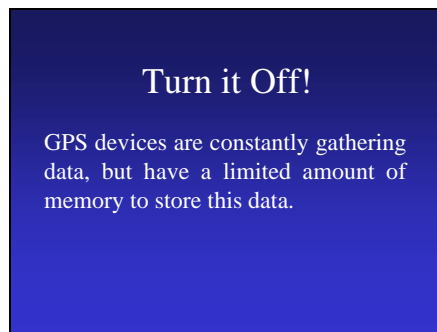


Slide 26



The pink horizontal line shows the device is in navigation mode. It serves as a visual reference for the operator, to help stay on course. "Begin" shows where the operator entered his destination in the GPS and started navigating towards it. The checkered flag marks the destination.

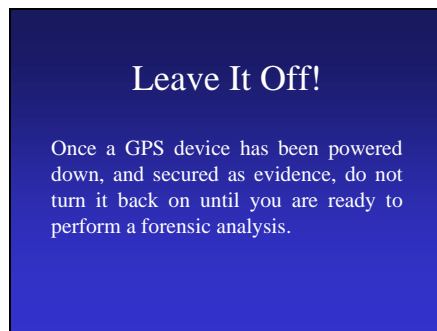
Slide 27



Slide 28



Slide 29



Slide 30



Imagine the issues the defense could raise with this data, generated a day after the suspect was arrested, but BEFORE a warrant was issued to search the GPS.

## Slide 31

### Secure the device

- After powering down the device, disconnect the power cord, antenna cable, and any other wiring.
- Consider taking the power cord with the device
- Carefully remove the GPS from its mounting
- Remove the batteries from hand held units
- Follow your department procedures for storing the device until you are ready for the forensic examination

## Slide 32

### GPS Forensic Tools

#### Hardware:

- Computer
- Cables
- Memory Devices
- Power Source
- Faraday Bag
- Camera



## Slide 33

### GPS Forensic Tools



#### Software:

- Garmin
  - Homeport
  - Basecamp
- Blackthorne2
- Easy GPS
- GPS Babble
- TomTology2





Slide 34

 Legal Limitations 

In *United States v. Jones* (2012), the Supreme Court ruled UNANIMOUSLY that the warrantless use of a GPS tracking device was a “search” as it relates to Fourth Amendment. Additionally, several of the justices appeared ready to rule in the future that long-term monitoring by any technological device could violate an individual’s right to privacy.

Slide 35


**Play it Safe!**

Get a warrant or get consent before conducting an examination of a GPS device



Slide 36

**Data and Evidence Recovery**

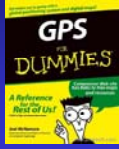


- Computer download of receiver memory
- Analysis of GPS data and track-lines

Slide 37

**Familiarize Yourself With the Device Before You Begin**

Manuals for most GPS's can be found online. Before you begin, learn about the features of the device, what types of data it might hold, and how best to access that data.



Slide 38

**Prevent the Device from Generating New Data**


As soon as the GPS is turned on, it will start searching for satellite signals. If it finds enough signals, the device will establish its position and start generating new data.

By conducting the examination in an interior room of a building, by disconnecting any external antenna, or by using a faraday bag, the examiner should be able to prevent the device from generating new data. On many models, the GPS receiver can be disabled while working with the device.

Slide 39

**Prevent the Device from Generating New Data**

Some GPS's will try to automatically update their software when connected to a computer with internet access. Your computer should not be connected to the internet when conducting a forensic examination.



## Slide 40

### Make the Connection

- Connect the GPS to your computer using the appropriate cord. Many of the newer devices have a mini or micro USB port. Older devices may require a manufacturer specific, or even a model-specific data cord.
- Some GPS's accept external memory devices, such as SD cards. Data in the device can be transferred to the memory device, then down loaded to your computer.

## Slide 41

### Recover the Data

- Using the appropriate software, data can be extracted from your suspect device. Care should be taken to preserve the integrity of any evidence when it is transferred to your computer.
- Electronic evidence from one case should not be co-mingled with evidence from another case.
- The examination should be carried out in a manner that does not alter the contents of the suspect device

## Slide 42

### Look at Some Additional Data

- Check the device settings:
  - Which Lat/Lon format is being used?
  - Nautical or statute distances?
  - Time setting?
- Check for a Trip computer
  - Total time in use
  - Total miles traveled
  - Average speeds
- Check the software version and unit ID

## Slide 43

### Analyze Your Findings

- Modern GPS's have memories capable of storing VAST amounts of data. Even small handheld devices can hold surprising amounts of evidence. Take your time, and look at the data carefully.
- The data may lead you to additional suspects and/or businesses associated with your case and open up additional avenues in your investigation.
- In addition to evidence directly related to your case, you may find historical data which may establish trends or patterns or crimes that went undetected.

## Slide 44

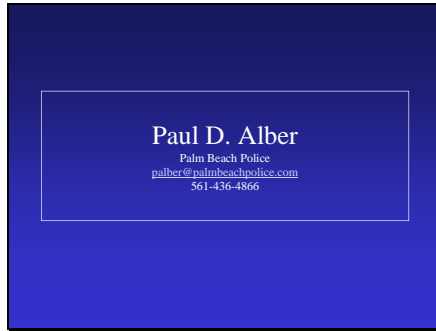
### Report Your Results

- Write your report in a logical order
- Describe the data in simple terms- assume that people reading your report have no knowledge of GPS's or navigation
- Insert images to illustrate your findings- a picture is worth a thousand words
- Use your skills to make great cases!

## Slide 45

# Questions?

Slide 46



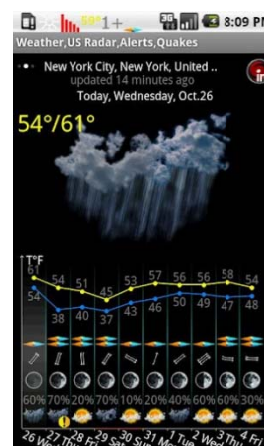
## APPENDIX B



The Weather Channel provides the most accurate and relevant weather information whenever weather matters to you. With 200+ meteorologists and, our ultra-local forecasting technology, we provide you with the weather tools you need to plan your day, week, or even the next hour.

[https://play.google.com/store/apps/details?id=com.weather.Weather&feature=search\\_result#?t=W251bGwsMSwxLDEslmNvbS53ZWFOaGVyLldiYXRoZXliXQ..](https://play.google.com/store/apps/details?id=com.weather.Weather&feature=search_result#?t=W251bGwsMSwxLDEslmNvbS53ZWFOaGVyLldiYXRoZXliXQ..)

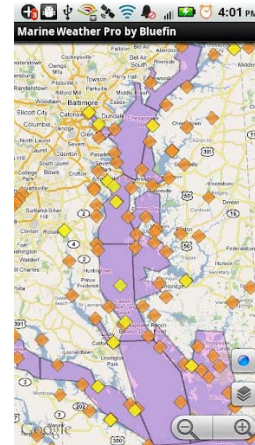
## Weather, Radar, Alerts, and Quakes



Elecont Weather (eWeather HD) is the most informative Android application about the environment: Current weather and weather forecasts from different weather providers, NOAA weather alerts, latest earthquakes, live radar, geomagnetic storm forecast, pressure change indicator and moon and sun calendar, METAR

[https://play.google.com/store/apps/details?id=com.Elecont.WeatherClock&feature=search\\_result#?t=W251bGwsMSwxLDEslmNvbS5FbGVjb250LldiYXRoZXJDbG9jayJd](https://play.google.com/store/apps/details?id=com.Elecont.WeatherClock&feature=search_result#?t=W251bGwsMSwxLDEslmNvbS5FbGVjb250LldiYXRoZXJDbG9jayJd)

## Marine Weather by Blufin

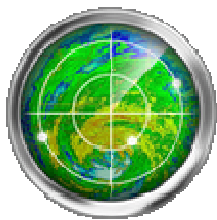


Great for boating, fishing, sailing, and surfing!

Includes all US coastal regions inshore and offshore, Great Lakes, Alaska, Hawaii, and Puerto Rico.

[https://play.google.com/store/apps/details?id=com.blufinengineering.android.marineweather&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5ibHVIZmluZW5naW5lZXJpbmcuYW5kcm9pZC5tYXJpbmV3ZWFOaGVyII0.](https://play.google.com/store/apps/details?id=com.blufinengineering.android.marineweather&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5ibHVIZmluZW5naW5lZXJpbmcuYW5kcm9pZC5tYXJpbmV3ZWFOaGVyII0.)

## Radar Now



"Radar Now!" provides National Weather Service (NWS) Enhanced Radar "Base" (N0R) images from the NOAA WSR-88D NEXRAD Radar sites located around the US. Radar images are downloaded directly from NWS servers so are always the most current available\*. When you start the app, the radar images are from the site closest to your location.

[https://play.google.com/store/apps/details?id=com.usnaviguide.radar\\_now&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS51c25hdmlndWlkZS5yYWRhcl9ub3ciXQ..](https://play.google.com/store/apps/details?id=com.usnaviguide.radar_now&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS51c25hdmlndWlkZS5yYWRhcl9ub3ciXQ..)

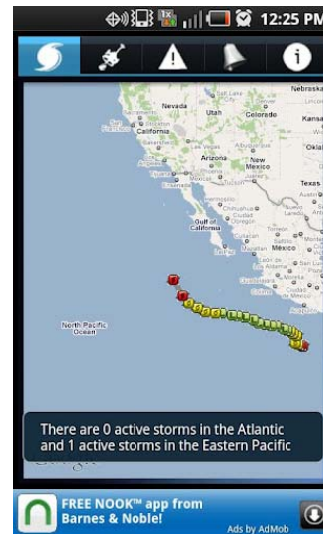
## AccuWeather



AccuWeather for Android has all of the accurate and localized weather information and interactive features that you need! With AccuWeather for Android, you can plan your day and make personal or future plans with confidence knowing that you will be safeguarded from weather interruptions.

[https://play.google.com/store/apps/details?id=com.accuweather.android&feature=search\\_result#?t=W251bGwsMSwxLDEslmNvbS5hY2N1d2VhdGhlcj5hbmRyb2lkIl0.](https://play.google.com/store/apps/details?id=com.accuweather.android&feature=search_result#?t=W251bGwsMSwxLDEslmNvbS5hY2N1d2VhdGhlcj5hbmRyb2lkIl0.)

## Hurricane Software



Hurricane tracking application to give you the most up to-date and reliable hurricane coordinates data and high resolution maps. Satellite Images, Warning Information, Storm Tracks and More

[https://play.google.com/store/apps/details?id=Hurricane.Software&feature=search\\_result#?t=W251bGwsMSwyLDEslkh1cnJpY2FuZS5Tb2Z0d2FyZSjd](https://play.google.com/store/apps/details?id=Hurricane.Software&feature=search_result#?t=W251bGwsMSwyLDEslkh1cnJpY2FuZS5Tb2Z0d2FyZSjd)



# Tools

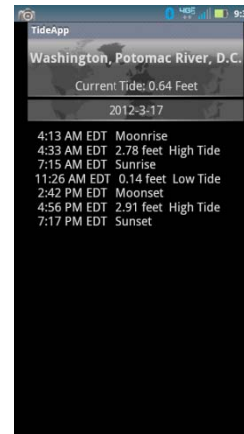
## GPS Essentials



The most complete GPS tool on market: Navigate, manage waypoints, tracks, routes, and build your own dashboard from 45 widgets.

[https://play.google.com/store/apps/details?id=com.mictale.gpsessentials&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5taWN0YWxlLmdwc2Vzc2VudGlhbHMlXQ..](https://play.google.com/store/apps/details?id=com.mictale.gpsessentials&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5taWN0YWxlLmdwc2Vzc2VudGlhbHMlXQ..)

## TideApp



Brings tidal charts and data right to your Android Mobile Phone. The application displays a list of the current tide conditions, along with daily highs and lows with their accompanying times. In addition, you may view the very same tide information in the future, perfect for trip planning.

[https://play.google.com/store/apps/details?id=com.atlantistech.android.tideapp&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5hdGxhbnRpc3RIY2guYW5kcm9pZC50aWRlYXBwIl0.](https://play.google.com/store/apps/details?id=com.atlantistech.android.tideapp&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5hdGxhbnRpc3RIY2guYW5kcm9pZC50aWRlYXBwIl0.)

## Marine Traffic



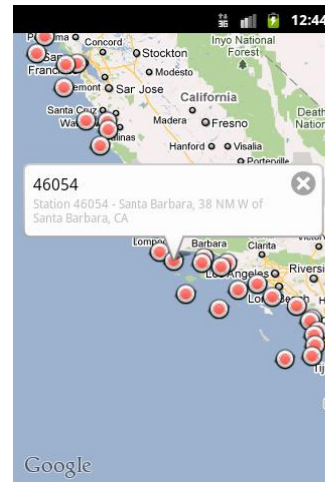
Real-time ships positions based on Automatic Identification System (AIS). Watch the positions reported by more than 35000 vessels per day on an interactive Google map.

The application provides worldwide coverage of more than 850 ports and a significant number of open-sea areas.

Port arrivals and departures are recorded in real-time. Search for port statistics, vessel details, historical data and estimated time of arrivals.

[https://play.google.com/store/apps/details?id=com.marinetraffic&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5tYXJpbmV0cmFmZmljIi0.](https://play.google.com/store/apps/details?id=com.marinetraffic&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5tYXJpbmV0cmFmZmljIi0.)

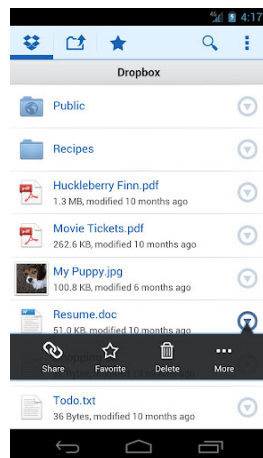
## NOAA Ocean Buoys



The NOAA Ocean Buoys application provides users with access to live data transmitted from over 120 buoys scattered throughout North America, Alaska, Hawaii, Canada, Europe, and the Caribbean. Most buoys provide information about current wave heights, wave periods, wind speed, wind direction, air temperature, water temperature, atmospheric pressure, pressure tendency, and dew points. One of the best tools for professionals and general enthusiasts alike

[https://play.google.com/store/apps/details?id=com.asburymobile.noaaocceanbuoys&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5hc2J1cnltb2JpbGUubm9hYW9jZWFuYnVveXMiXQ.](https://play.google.com/store/apps/details?id=com.asburymobile.noaaocceanbuoys&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5hc2J1cnltb2JpbGUubm9hYW9jZWFuYnVveXMiXQ.)

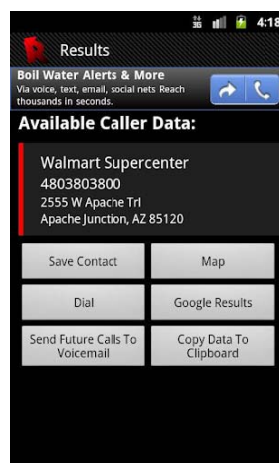
## Dropbox



Dropbox is a free service that lets you bring all your photos, docs, and videos anywhere. After you install Dropbox on your computer, any file you save to your Dropbox will automatically save to all your computers, your Android device, and even the Dropbox website! With the Dropbox app, you can take everything that matters to you on the go.

<https://play.google.com/store/apps/details?id=com.dropbox.android&feature=featured-apps#?t=W251bGwsMSwyLDlwMywiY29tLmRyb3Bib3guYW5kcm9pZCJd>

## Reverse Lookup



Easily perform a reverse lookup of any unknown number in your call history (or entered manually) after caller info is found, user can save contact, dial number, block future calls, map location, and more.

[https://play.google.com/store/apps/details?id=com.esmobile.reverselookupfree&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5lc21vYmlsZS5yZXZlcnNlbG9va3VwZnJlZSld](https://play.google.com/store/apps/details?id=com.esmobile.reverselookupfree&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5lc21vYmlsZS5yZXZlcnNlbG9va3VwZnJlZSld)

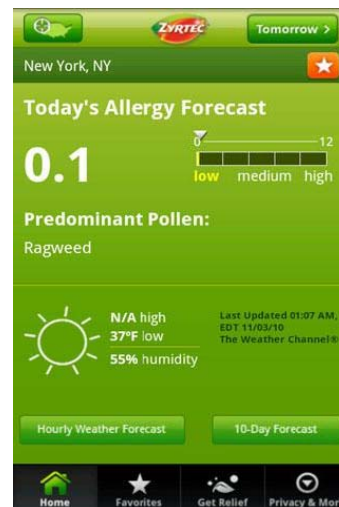
## Business Calendar



Business Calendar is a complete calendar application that is synchronizing with your Google calendars!

[https://play.google.com/store/apps/details?id=mikado.bizcalpro&feature=search\\_result#?t=W251bGwsMSwyLDEsIm1pa2Fkby5iaXpjYWxwcm8iXQ..](https://play.google.com/store/apps/details?id=mikado.bizcalpro&feature=search_result#?t=W251bGwsMSwyLDEsIm1pa2Fkby5iaXpjYWxwcm8iXQ..)

## Zyrtec



Who will show up to your outdoor gatherings? Or follow you to work in the morning? Ragweed? Bluegrass? Will it be sunny or cloudy? Now you'll know, with AllergyCast from the makers of ZYRTEC®. It's just the info you need to... LOVE THE AIR

[https://play.google.com/store/apps/details?id=com.mcneil.zyrtec.allergycast.activity&feature=search\\_result#?t=W251bGwsMSwxLDEsImNvbS5tY25laWwuenlydGVjLmFsbGVyZ3ljYXN0LmFjdGl2aXR5Ii0.](https://play.google.com/store/apps/details?id=com.mcneil.zyrtec.allergycast.activity&feature=search_result#?t=W251bGwsMSwxLDEsImNvbS5tY25laWwuenlydGVjLmFsbGVyZ3ljYXN0LmFjdGl2aXR5Ii0.)

# APPENDIX C

## Zoomerang Survey Results

### 1. How important is it to you that the App will work on any type of smartphone ?

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| not important | sort of important | important | very important | extremely important |
|---------------|-------------------|-----------|----------------|---------------------|
| 1             | 2                 | 3         | 4              | 5                   |
| 1             | 2                 | 8         | 11             | 13                  |
| 3%            | 6%                | 23%       | 31%            | 37%                 |

### 2. Should the App be linked through GPS and able to display on Google maps?

|                |           |             |
|----------------|-----------|-------------|
| Yes            | 32        | 91%         |
| No             | 0         | 0%          |
| Doesn't matter | 3         | 9%          |
| <b>Total</b>   | <b>35</b> | <b>100%</b> |

### 3. Should the App contain 1-way messaging secure and anonymous?

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 8         | 23%         |
| No                    | 7         | 20%         |
| Doesn't matter        | 17        | 49%         |
| Other, please specify | 3         | 9%          |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**4. Should the App have 2-way messaging secure and anonymous?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 18        | 51%         |
| No                    | 0         | 0%          |
| Doesn't matter        | 15        | 43%         |
| Enter an answer       | 0         | 0%          |
| Other, please specify | 2         | 6%          |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**5. Should the App have the ability to transmit photo, video and audio with Geo tagging?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 27        | 77%         |
| No                    | 1         | 3%          |
| Doesn't matter        | 6         | 17%         |
| Other, please specify | 1         | 3%          |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**6. Should the App be web driven?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 19        | 54%         |
| No                    | 3         | 9%          |
| Doesn't matter        | 11        | 31%         |
| Other, please specify | 2         | 6%          |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**7. Should the App be SMS driven?**

|                       |    |     |
|-----------------------|----|-----|
| Yes                   | 10 | 29% |
| No                    | 6  | 17% |
| Doesn't matter        | 15 | 43% |
| Other, please specify | 4  | 11% |

|              |    |      |
|--------------|----|------|
| <b>Total</b> | 35 | 100% |
|--------------|----|------|

#### 8. Is auto locate appropriate for an LE agency?

|                       |    |      |
|-----------------------|----|------|
| Yes                   | 29 | 83%  |
| No                    | 2  | 6%   |
| Other, please specify | 4  | 11%  |
| <b>Total</b>          | 35 | 100% |

#### 9. Should the App be able to share data with multiple LE agencies?

|                       |    |      |
|-----------------------|----|------|
| Yes                   | 27 | 77%  |
| No                    | 6  | 17%  |
| Other, please specify | 2  | 6%   |
| <b>Total</b>          | 35 | 100% |

#### 10. Should the App have a "Mayday" function tied to the GPS location?

|                       |    |      |
|-----------------------|----|------|
| Yes                   | 28 | 80%  |
| No                    | 6  | 17%  |
| Other, please specify | 1  | 3%   |
| <b>Total</b>          | 35 | 100% |

#### 11. Should the App have a "request for assistance" (non-emergency) function tied to the GPS location?

|                       |    |      |
|-----------------------|----|------|
| Yes                   | 27 | 77%  |
| No                    | 7  | 20%  |
| Other, please specify | 1  | 3%   |
| <b>Total</b>          | 35 | 100% |

**12. Should the App be able to send a weather/emergency alert to subscribers?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 27        | 77%         |
| No                    | 7         | 20%         |
| Other, please specify | 1         | 3%          |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**13. Should the App have language translation capabilities?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 20        | 57%         |
| No                    | 11        | 31%         |
| Other, please specify | 4         | 11%         |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**14. Must the App meet all state/federal records retention and security requirements?**

|                       |           |             |
|-----------------------|-----------|-------------|
| Yes                   | 24        | 69%         |
| No                    | 7         | 20%         |
| Other, please specify | 4         | 11%         |
| <b>Total</b>          | <b>35</b> | <b>100%</b> |

**15. Is most of your interaction with boaters:**

|                                    |           |             |
|------------------------------------|-----------|-------------|
| on land                            | 2         | 6%          |
| dockside                           | 2         | 6%          |
| on the water within cell range     | 27        | 77%         |
| on the water outside of cell range | 4         | 11%         |
| <b>Total</b>                       | <b>35</b> | <b>100%</b> |



**16. What best describes your primary responsibility?**

|                                 |           |             |
|---------------------------------|-----------|-------------|
| Marine law enforcement          | 30        | 86%         |
| RBS vessel safety inspector     | 0         | 0%          |
| RBS safety education instructor | 0         | 0%          |
| Other, please specify           | 5         | 14%         |
| <b>Total</b>                    | <b>35</b> | <b>100%</b> |

**17. How would you rank the following support tools in performance of your job**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

|                     |           |           |           |           |
|---------------------|-----------|-----------|-----------|-----------|
| Paper forms         | 12<br>34% | 13<br>37% | 3<br>9%   | 7<br>20%  |
| waterproof cards    | 2<br>6%   | 5<br>14%  | 15<br>43% | 13<br>37% |
| PC electronic forms | 19<br>54% | 10<br>29% | 3<br>9%   | 3<br>9%   |
| Phone Aps           | 2<br>6%   | 7<br>20%  | 14<br>40% | 12<br>34% |

**18. What kind of phone Aps would you like to see developed**

35 Responses

**19. Please provide your contact information:**

35 Responses

## APPENDIX D

Inflatable life jackets are available in many styles and configurations!

**CONSIDER THIS**  
Trying to put on a life jacket as you are thrown overboard

**DO YOU LIKE TO GAMBLE WITH YOUR LIFE?**





It's not the one you carry  
It's the one you wear  
**WEAR IT!**

Is similar to trying to put on your car's seatbelt during a crash!  
Think about it  
**WEAR YOUR LIFE JACKET**

Boating Safety Professionals are urging you to wear your life jacket—  
**DO IT FOR YOUR FAMILY**



**VEST TYPE**



**WAIST TYPE**




**Common reasons why people do not wear their life jacket.**

- They look bad.
- They are uncomfortable.
- I can't move around well with it on.
- I can't get a good tan with one on.

Airto inflating life jackets help dispel all these thoughts by offering low profile, comfortable, and stylish options for those who are active on the water.

We urge you to see for yourself and make the investment today.

**It could save your life!**




# APPENDIX E

National Association of State Boating Law Administrators  
September \*\* 2012  
Mobile, Alabama

## RESOLUTION 2012-1

### Mandatory wearing of life jackets by marine law enforcement officers and rescue personnel.

**WHEREAS**, The National Association of State Boating Law Administrators has supported and advocated for mandatory wear of life jackets for recreational boaters in vessels less than 16 feet and children under the age of 12, since 1993; AND

**WHEREAS**, The National Associations of State Boating Law Administrators' Law Enforcement Committee issued a policy statement encouraging all marine law enforcement, rescue personnel and other on-the-water professionals to require all employees to wear appropriate life jackets at all times when underway in open boats or on open deck spaces on September 8, 2008; AND

**WHEREAS**, The National Boating Safety Advisory Council, meeting in Arlington, Virginia, on April 1 – 2, 2011, passed Resolution 2011-87-01 calling for the United States Coast Guard to seek appropriate regulations for life jacket wear by recreational boaters aboard all paddle craft and personal watercraft regardless of length and any vessel less than 18 feet in length; AND

**WHEREAS**, Given that an average of 500 people die in recreational boating accidents each year in the United States as a result of non-swimming related drowning and very few are wearing a life jacket, consequently the National Association of State Boating Law Administrators agrees that law enforcement professionals and rescue personnel of member states should set an example of professionalism and safety on the water, for the boating public, by adopting a mandatory life jacket wear policy.

**NOW, THEREFORE, BE IT RESOLVED**, that the National Associations of State Boating Law Administrators, meeting during their Annual Business Meeting in Mobile, Alabama on September \*\* 2012, recommends:

1. Every member state/territory of the National Association of State Boating Law Administrators by January 1, 2013 adopt a mandatory life jacket wear policy for their internal law enforcement officers and rescue personnel while underway in any department owned vessel; AND
2. Every member state/territory of the National Association of State Boating Law Administrators who provides recreational boating safety dollars to an outside agency or partner require, as a condition for receiving those dollars, that by January 1, 2013 the outside agency or partner adopt a mandatory wear policy for their law enforcement and rescue personnel while underway in any department owned vessel or operate within a policy consistent with their State Boating Law Administrators' agency; AND
3. That the ~~member states and territories~~ ~~Executive Board~~ of the National Association of State Boating Law Administrators ~~should petition the United States Coast Guard to adopt~~ endorse a "Mandatory Life Jacket Wear Policy for the states" as a condition and definition of "Adequate Law Enforcement" and a critical element of eligibility to receive boating safety dollars to support marine law enforcement.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Deborah Hersman, chairman of the NTSB.

\_\_\_\_\_  
Mike Fields, President  
National Association of State Boating Law Administrators

## APPENDIX F

Mr. Chairman,

As you are aware, the Law Enforcement Techniques and Technology sub-committee has dedicated the last two years to reviewing the T-31 Marine Law Enforcement Craft Acquisition and Safety Matrix document. This document applies to vessel systems only and does not provide any standards for the actual construction of a vessel. We were charged with evaluating the comprehensive list of vessel elements; make recommendations to fill any gaps overlooked by the original task group and finally to approve the matrix in order for this to serve as a resource to the membership in the acquisition of law enforcement vessels.

This sub-committee has wrestled with the fact that while the ABYC standards set forth in this matrix are inherently very good; the fact remains there are other standards from entities such as NMMA which could and should be considered in order to provide a wholly comprehensive list. The task of reviewing and compiling every existing vessel system standard (not just ABYC) would be monumental and there are concerns that once completed the final document may not be concise enough to be user-friendly and/or even utilized by law enforcement departments.

Furthermore, based upon the views of several members of this subcommittee who are actually involved with the specifying and purchasing of law enforcement vessels for their agency; generally the department will know the exact vessel they wish to purchase and will craft the spec sheet so that only one manufacturer will be able to submit a competitive bid anyway. The ABYC standards for vessel systems listed in this document are absolute minimums that reputable manufacturers are currently meeting and, in most cases, exceeding when building their vessels. Therefore, this subcommittee does not believe this document would serve any relevant purpose to departments purchasing law enforcement vessels and we respectfully request to table this charge indefinitely.



Stephanie Weatherington  
LE Techniques & Technology Chair

## **Enforcement & Training Committee Training & Certification Subcommittee**

### **FINAL REPORT 8-1-12**

#### State Members:

Tom Guess, VA, Subcommittee Chair  
Karen Muench, OH  
Matt Majors, TN  
Brandon Gust, SD  
Tim Baumgarten, AZ  
John Fetterman, Staff

Joel Wilkinson – LE Chair  
Rodger Norcross – V-Chair  
Darren Rider – Ex Board  
Mike Baron – USCG Rep.  
Jeff Wheeler – USCG Rep.

#### Associates

Andy Cox, FLIR  
Tina Cardone, C-Port  
Richard Carson, US Power Squadron  
William Gossard, NTSB  
Cindy Kalkomey, Kalkomey Enterprise, Inc.  
Emily King, NSBC  
Dan Maxim, USCG Aux.  
Dana White, Brunswick Commercial  
Karen Steely, Aaron Foundation  
Kristy, Moore - Trapp

The 2012 year was a very busy and productive year for the Training & Certification Subcommittee. Thank you to all of the members of the subcommittee for your hard work and especially to the Charge Leaders for their willingness to step up to make sure that our charges were completed on time and within the scope of the charge. We worked on five charges this year that will provide some good outputs and outcomes for the NASBLA membership and the recreational boating community. More importantly, our work will provide enhancements to

officer safety, productivity, doctrine, training opportunities, and further acceptance and standardization of the new seated FSTs by NTHSA. I am delighted to share our work with you and I look forward to your collaboration and feedback as we move forward with these initiatives and improvements!

Thank you!



Chair, Tom Guess, (VA)

The Strategic Vision Statement of this Subcommittee is established to assure:

The Training & Certification Subcommittee will determine the training needs of the states, develop course content and materials, and identify potential course instructors.

## 2012 Charges

1. Assess and evaluate the Officer Water Safety and Survival and provide feedback and recommendations based on beta testing of the curriculum scheduled for the fall of 2011. (NASBLA 3.3.1, 3.3.3, 3.4.1, 3.5,) (RBS 6.5, 8.3)

*During 2008, NASBLA surveyed the states to determine interest in several training opportunities. The BLAs identified Officer Water Safety and Survival as the course most often listed. Further development of an Officer Water Safety and Survival Course was outlined and the subcommittee will complete and present a training curriculum inclusive of teaching materials and student guide.*

*Water Safety – Awareness (out of the water);*

*Water Safety – Survival (in water); and*

*Water Safety – Defensive Tactics (awareness and survival modules are prerequisites)*

*Once beta testing of the course and curriculum is completed by Ohio DNR Division of Watercraft, the subcommittee will work in collaboration with the course designers to assess and evaluate prior to formal NASBLA launch of the program nationally.*

**– Karen Muench, Emily King and Cindy Kalkomey have volunteered to lead this Charge:**

Emily King volunteered to conduct a preliminary audit of the “Officer Survival Course in Ohio , during BETA Testing of the curriculum.

Karen Muench has trained 34 cadets in Ohio, this is the second group – about 60 officers have taken all three parts of the program. During this Beta testing period she has found some areas for improvement; health issues, equipment issues both will need to be addressed. For example, many officers don’t carry life jackets. Some officers cannot tread water for a minute with full gear. We need to establish whether or not people can stand up to a physically demanding class like this. These classes may have to

be smaller to accommodate a small student/teacher ratio. There will need to be a lot of pre-class work and review to insure a safe, effective course.

Karen has made several changes to the course to address these issues, and is in the final stages of developing a “Risk Matrix” to guide the instructor in student assessment prior to training.

To demonstrate the value of this course as a new offering within NASBLA’s BOAT Program and to give members a first-hand experience, this subcommittee is hosting a one day offering of the “Officer Survival Course” in Mobile Alabama, the day before the opening of NASBLA’s Annual Conference – September 8, 2012. The following announcement was distributed on April 11, 2012.

(See the announcement as attached in APPENDIX A)

2. Research web-based training based on results of BLA training survey. (NASBLA 3.3.1, 3.3.3, 3.4, 3.5,) (RBS 6.5, 8.3)

*NASBLA’s training survey asked if the states were interested in web-based training for their officers. All of the respondents said they would like to offer that type of training to their officers. This subcommittee will continue to serve as an advisory group for online training resources. This will include beta testing, review, monitoring, usage and updates as the NASBLA delivery model for online training matures. –*

**Brandon Gust and Darren Rider & Emily King - Charge Leaders**

**E-Learning** – the subcommittee reviewed the results of the latest survey on e-learning. The top five requested topics were:

1. RBS Program Management
2. Marketing Safety Messages to the RBS Public
3. First Responder Safety in the Marine Environment
4. Sudden Cold Water Immersion
5. Engaging your Legislature and Congressional Delegation in RBS Issues

The group felt that three of the five were more directed at BLAs, and the other two were more appropriate for marine law enforcement officers. The group commented that the three BLA-centered topics were pretty much covered in the BLA academy, so the best way forward would be to select “First Responder Safety in the Marine Environment” as the next course to develop.

(See 2012 Survey results as attached in APPENDIX B)

3. Evaluate and refresh all law enforcement guidance documents and templates being distributed by NASBLA's Operation Dry Water. (NASBLA 3.3, 3.4, 3.5) (RBS 2.3, 2.3.1, 2.4, 2.5, 5.2, 6.2, 6.5, 6.6, 8.2, 8.3)

*Ensure that all documents and templates distributed to marine law enforcement are national in scope and deliver the most up-to-date information and guidance. –*

**- Matt Majors – Charge Leader:**

Previously ODW compiled a list of best practices; saturation vs. checkpoint language has become an issue. Most states are now using saturation instead of checkpoints.

Kristy Moore (Trapp Communications) conducted a full review update the current materials for ODW.

Kristy explained that:

- “This year we are including information on the family aspect of BUI”.
- Also Trapp is revamping the web site. The 2012 outreach was excellent last year, spot on Today and other aspects.
- Last year ODW had about 30 minor league parks participate last year – may try to do that again this year.
- In 2012 we will be doing media assist calls. May do a call for first year participants, may be other specific calls of that type.
- June publications of many significant boating-related magazines will have a ODW flair.
- Many of the editorial features will address ODW in June.

Matt Majors sent out information to Tennessee District Attorney's Council for their review of “Check-point” criteria. They reported back that they liked the document and found no conflicting case law on the check-point and “Saturation Patrol” documents. Matt reported his primary contact was - (Tom Kimble)

Matt also showed it to TN Senior Staff to review and comment. And is awaiting their final review, this is the middle of the Legislative season and time is precious.

Matt is looking through the remaining documents – but they all look really good.

Matt suggests that perhaps a “fill – in – the – blanks” model document, which might be very helpful as a tool in BUI Checks – for officers who don't do a lot of BUI work. This document would be a good reminder of the process to help keep them on track through-out the entire BUI check process.

After a full review of the current LE related documents for 2012, Matt Majors submitted a full accounting to the Subcommittee:

(See the full ODW report as attached in APPENDIX C)



Matt's report includes the "Check Point" document from 2009. The 2012 ODW website still has just the "Saturation Patrol" document posted. Need clarification from Matt? The meeting minutes indicate that the group decided to utilize just the "Saturation Patrol" document.

**STATUS 5/9/12:** Matt reported that he had been forwarded quite a few documents from Kristy at Trapp Comm. Most of these have contained only the print media based documents. All of the documents she has forwarded have looked really good.

4. In collaboration with the regional organizations comprised of Boating Law Administrators (i.e., NABA, WSBAA and SSBLAA) develop regional training opportunities to disseminate the new Seated Battery of Standardized Field Sobriety Tests. (NASBLA 3.3, 3.4, 3.5) (RBS 6.2, 6.3 & 6.6)

*Work with the regional associations and solicit support and funding to help sponsor regional offerings of the NASBLA BUI Training Course utilizing the new Seated Battery of SFSTs.*

**- Brandon Gust - Charge Leader**

Brandon reported that he had been in discussions with all three associations. All three Regions are on board. However, due to the cost of hosting a course, they will be looking at a joint effort between all three associations to fund a course for the 2013 training year.

The next phase of this charge will be to re-open communications with all three associations this summer/fall and to look at where the BUI trainings were held during the 2012 grant cycle and then identify an area to target for 2013, and start the preliminary process of coordinating a location to host an event. If we are able to get a location selected this year, it should allow NASBLA the ability to distribute their courses next year with the association's grant funded course in mind for the 2013 training calendar.

One item that has not been decided is what type of BUI course to offer, be it a transition course, full course or instructor course. This of course could be decided based upon needs as well.

Consider this charge a work-in-progress. A final report is expected summer/fall of 2012, hopefully prior to the Annual Conference.

5. Seek inclusion of the Seated Battery of Standardized Field Sobriety Tests (SFSTs) into the curricula assembled by the National Highway Traffic Safety Administration (NHTSA)/International Association of Chief of Police (IACP) for DUI enforcement and the Drug Recognition Expert (DRE) Program.

*Working in close collaboration with the BUI Instructor corps, as subject matter experts, explore the feasibility and promote full recognition by NHTSA and IACP of the Seated Battery of SFSTs. Collaborate and provide consultation with NHTSA/IACP during any effort on their part to include the Seated Battery in the*

*national DUI enforcement and/or DRE Program training curricula to ensure uniformity and consistency. (NASBLA 3.3, 3.4, 3.5) (RBS 6.2, 6.3 & 6.6)*

**-Tim Baumgarten will be the charge leader.**

As a followed up and a logical progression – Tim Baumgarten and Richard Moore are actively working this issue and the key to resolving this issue, will be acceptance by IACP –

It was due to this charge that the Executive Board authorized an additional member to the Committee and Tim Baumgarten as brought on as the 13<sup>th</sup> funded position on the General Enforcement Committee.

Tim informed the committee that he has been off-line w/ a medical issue and he knows that Richard is working this issue. – Trying to encourage NHTSA to accept is probably a long-term ambition of NASBLA. Some Chiefs believe that IACP is a better route in getting NHTSA to accept.

Canada has developed some form of seated sobriety tests – but the research is in question. This new initiative, out of Canada and concern by the IACP may bring some movement and interest in the validated NASBLA model.

On April 20, 2012, Richard Moore forwarded correspondence he had with Bill O’Leary of NHTSA

Richard reported that:

He met with NHTSA/IACP’s Technical Advisory Panel (TAP) back in October of 2010 to introduce them to our project and to seek collaboration. They agreed to have their curriculum committee review the research and get back to us.

After several exchanges he got a response from NHTSA and/or IACP relative to their review late last year. The response was that they found:

- The research was done according to sound scientific principles
- The findings appeared to be reasonable
- The SFSTs are likely to have great application to marine law enforcement, but
- They did not see any implication to the DUI community.
- Further discussion on that phone call (explanation of their recent use in a DUI investigation) led to a response that perhaps their review was short-sighted and that they should review it again.

On April 20, 2012 Richard received an email from Bill O’Leary (NHTSA) letting me know that they had been directed to conduct another review of the research on the seated SFSTs. Richard offered any other training materials that might assist them in their review. He asked Richard to hold off until he found out what they needed.

As recently as May 22, 2012 Richard received the following from O’leary:

“I met with my supervisor concerning your request to have NHTSA review the NASBLA curriculum as it relates to Field Sobriety Tests.

Unfortunately, due to budget constraints, lack of sufficient staffing and other competing priorities at this time, NHTSA cannot support this request.

I was advised that consideration can be given for this project at a later time, but not until FFY '15 at the earliest.

Perhaps at that time, it might be a good opportunity to review your standards as it relates to our own validated tests.

Regards, Bill O'Leary"

### **Training and Certification Subcommittee Charge #5:**

- Seek inclusion of the SFST's into the curricula by NHTSA and IACP

Report by charge leader: Tim Baumgarten

NHTSA and the IACP are well aware of the research to validate a seated battery of field sobriety tests. NHTSA researchers conducted a peer review prior to the finalization of the research report, and their comments/suggestions were incorporated in the final published report.

In October of 2010, NASBLA presented a brief overview to the NHTSA/IACP Technical Advisory Panel (TAP), discussing how best to collaborate on this project as it rolls out nationally for marine officers. Initially, NHTSA recognized the research as scientifically sound and confirmed the value of this project to marine law enforcement, but failed to recognize the roadside applications for highway safety. Additionally, staff indicated there would be considerable pushback and be difficult to incorporate the additional material into the current 24 hour SFST curriculum. Therefore, they did not suggest any further action to collaborate with NASBLA and the US Coast Guard on this matter.

In subsequent contacts, following explanations of how the seated battery was currently being implemented and used effectively in situations where impaired drivers who exhibit or claim mobility impairment or disability of the ankles, knees, hips or legs, the IACP representative formerly assigned to review NASBLA's request to collaborate agreed that there was reason to reconsider their determination.

Since that time, NHTSA and IACP have again discussed this topic and are still considering how best to recognize this research and the validated tests within the national DUI program. NHTSA tabled the topic and suggested reconsideration during a scheduled review in 2015.

During a NASBLA sponsored Train-the-Trainer Transition Course near Lake Texoma, TX, Clay Abbott, a prosecutor from the Texas District Attorney's Office and a representative from the Texas Officer Standards and Education Commission attended the training and observed the seated battery in practice. The seated battery performed flawlessly and Mr. Abbott published an article titled, "*Nine Steps in a Seven-Step Boat*" distributed nationwide through the Texas District and County Attorneys Association. (See Attached) Mr. Abbott is also a member of several national prosecutor committees involving NHTSA/IACP and has voiced his support for national acceptance.

Moving forward through other organizations that could further incorporation of the seated tests into a NHTSA-supported curriculum, I've provided presentations to the Arizona Governor's Office of Highway Safety (state liaison to NHTSA and distributor of funding) DRE Steering Committee and the Arizona Association of Chiefs of Police. Stumbling blocks have been identified, but most common thread is misinterpretation regarding the role of a seated battery.

1. All are in agreement that the seated battery should be treated as mandatory training for boating officers but not mandatory-basic academy training for all officers.
2. The seated battery has value as enhanced or specialty training for roadside officers and the roadside/DUI nexus was noted and acknowledged.
3. Incorporating the additional research and administration of the seated battery could make the current NHTSA SFST 24 hour lesson plan too long by adding at least another ½ day. It was unanimous the additional transitional training for the seated battery should be a stand-alone lesson plan for supplemental training.
4. Funding for training seemed to be an issue; there was insufficient funding to train highway officers in the seated tests—additional training could dilute funding for SFST, DRE and ARIDE.
5. The NASBLA copyright of the training materials was viewed as a “deal breaker”, especially with NHTSA.
6. The committee expressed concerns regarding the possibility of diminishing the value of HGN because of the lower study results. (Unsubstantiated opinion)
7. Surprisingly, one committee member stated their city police agency was comfortable with the seated tests they employ and did not see the need for additional, scientifically validated tests.
8. Another comment expressed concern over the complexity of the evaluations although none had received training in the administration of the seated tests.
9. Lastly, the Director expressed concerns regarding defending court challenges to the current training standards with HGN, DRE and phlebotomy and the inability to take on another more challengeable task.

We will continue to make inroads to accomplish this charge through fact-based presentations and actual prosecutorial successes until this goal is achieved.

## APPENDIX A

To All BLAs:

The NASBLA Enforcement & Training Committee, in collaboration with the Ohio DNR Division of Watercraft, the newly formed BOAT Advisory Council and your NASBLA Executive Board, is pleased to announce a special offering of the “Officer Survival Course.”

On Saturday, September 8, 2012 – the day before the opening of the NASBLA Annual Conference, in Mobile, Alabama, we will be offering a one-day presentation of the new “Officer Survival Course” **FREE OF CHARGE** to 20 students.

This course is designed to prepare the marine law enforcement officer to survive in the water whether from an accidental fall overboard or due to having to take the fight to the water. Classroom and in-the-water training will be an eye-opening experience for all students in this class.

As a Boating Law Administrator, you may or may not routinely patrol on the water, but what better way to evaluate the merits of this new course, for your agency and your officers, than to experience this training for yourself?

We are offering this early registration opportunity to BLAs first, before we offer any remaining seats to marine patrol officers in Alabama and adjoining states across the Gulf.

Please contact John Fetterman, NASBLA’s Director of Law Enforcement, at [john.fetterman@nasbla.org](mailto:john.fetterman@nasbla.org) no later than May 15, 2012, if you are interested in taking advantage of this special offering.

Sincerely,

Rodger Norcross, (OH) Chairman, BOAT Advisory Board

## APPENDIX B

### Zoomerang Survey Results

New Survey on E-Learning - February 04, 2012

Response Status: Completes

Filter: No filter applied

Feb 14, 2012 7:27 AM PST

#### 1. What state are you from?

30 Responses

#### 2. What is your primary function within your state's RBS Program

|                        |           |             |
|------------------------|-----------|-------------|
| Administration         | 14        | 47%         |
| Enforcement            | 13        | 43%         |
| Education              | 1         | 3%          |
| Other - Please explain | 2         | 7%          |
| <b>Total</b>           | <b>30</b> | <b>100%</b> |

8 Responses

#### 3. Please rank your interest in RBS Financial Training

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 0              | 5                   | 15         | 8               | 2                    |
| 0%             | 17%                 | 50%        | 27%             | 7%                   |

#### 4. Please rank your interest in Grants.Gov - training, linkage and information

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly Interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 2              | 4                   | 13         | 7               | 3                    |
| 7%             | 14%                 | 45%        | 24%             | 10%                  |

#### 5. Please rank you interest in RBS Program Management

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 0              | 1                   | 11         | 13              | 5                    |
| 0%             | 3%                  | 37%        | 43%             | 17%                  |

#### 6. Please rank your interest in "Engaging your Legislature and Congressional delegation in RBS issues"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 2              | 7                   | 9          | 8               | 4                    |
| 7%             | 23%                 | 30%        | 27%             | 13%                  |

#### 7. Please rank your interest in "High Visibility and Post Traumatic Event Mitigation"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not Interested | Slight interested | Interested | Very interested | Extremely interested |
|----------------|-------------------|------------|-----------------|----------------------|
| 1              | 2                 | 3          | 4               | 5                    |

|    |     |     |     |    |
|----|-----|-----|-----|----|
| 2  | 9   | 8   | 11  | 0  |
| 7% | 30% | 27% | 37% | 0% |

#### 8. Please rank your interest in "Working with your Court System"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

| 1   | 2   | 3   | 4   | 5  |
|-----|-----|-----|-----|----|
| 3   | 13  | 8   | 4   | 2  |
| 10% | 43% | 27% | 13% | 7% |

#### 9. Please rank your interest in "Photography for law enforcement"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

| 1   | 2   | 3   | 4   | 5  |
|-----|-----|-----|-----|----|
| 4   | 8   | 9   | 8   | 1  |
| 13% | 27% | 30% | 27% | 3% |

#### 10. Please rank your interest in "Sudden Cold Water Immersion"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

| 1  | 2  | 3   | 4   | 5   |
|----|----|-----|-----|-----|
| 1  | 2  | 13  | 9   | 4   |
| 3% | 7% | 45% | 31% | 14% |

#### 11. Please rank your interest in "Marketing Safety Messages to the RBS Public"



Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

|  | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|--|----------|----------|----------|----------|----------|
|  | 1        | 4        | 9        | 9        | 7        |
|  | 3%       | 13%      | 30%      | 30%      | 23%      |

## 12. Please rank your interest in "Drug Recognition"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

|  | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|--|----------|----------|----------|----------|----------|
|  | 2        | 4        | 15       | 7        | 2        |
|  | 7%       | 13%      | 50%      | 23%      | 7%       |

## 13. Please rank your interest in "Handling Aquatic Invasive Species"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

|  | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|--|----------|----------|----------|----------|----------|
|  | 4        | 11       | 9        | 3        | 2        |
|  | 14%      | 38%      | 31%      | 10%      | 7%       |

## 14. Please rank your interest in "Environmental Crime Detection and Enforcement"

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

**Not interested      Slightly interested      Interested      Very interested      Extremely interested**

|  | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|--|----------|----------|----------|----------|----------|
|  | 5        | 8        | 11       | 2        | 4        |
|  | 17%      | 27%      | 37%      | 7%       | 13%      |

**15. Please rank your interest in "Eco Tourism and You"**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 7<br>23%       | 9<br>30%            | 10<br>33%  | 3<br>10%        | 1<br>3%              |

**16. Please rank your interest in "First Responder Safety in the Marine Environment"**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 1<br>3%        | 2<br>7%             | 12<br>40%  | 8<br>27%        | 7<br>23%             |

**17. Please rank your interest in "Public Speaking and the Media"**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

| Not interested | Slightly interested | Interested | Very Interested | Extremely interested |
|----------------|---------------------|------------|-----------------|----------------------|
| 1              | 2                   | 3          | 4               | 5                    |
| 4<br>14%       | 9<br>32%            | 8<br>29%   | 5<br>18%        | 2<br>7%              |

**18. Do you have any suggested e-learning topics for BLAs?**

11 Responses

**19. Do you have any suggested e-learning topics for marine law enforcement?**

9 Responses

**20. Please provide us with the contact information for the person completing this survey.**

30 Responses

## APPENDIC C

Tom,

I have finished reviewing the ODW documents as part of our subcommittee charge. Here is what I have come up with. I am open to any suggestions.

Like we have discussed, and in my research, I have found that most agencies do saturation patrols for the mere fact that "checkpoints" can be problematic when they hit the courts. It seems that the word checkpoint almost brings a look of displeasure to the face of some law enforcement managers. According to roadway case law (State v Downey) in Tennessee a certain list of things must be present in order to run a "checkpoint". First, site selection must be done by a supervisor utilizing accident or arrest data to determine the location or define the purpose/need for the checkpoint. Secondly, prior to conducting the "checkpoint" you must publicize the detail to some extent. Lastly, having a supervisor on site (different from the supervisor who selected the area for the checkpoint) is a must who can assure the pre determined operations plan is followed and only changed if necessary for public safety.

I have found that I could not locate any case law pertaining to saturations that give us direction on how to craft a "legal" saturation plan....so I suggest we leave the one we have in place....available to the ODW law enforcement section for each jurisdiction to use as they see fit....and to edit/custom tailor for their needs. The model saturation plan document has been reviewed by TWRA's legal staff, a traffic safety resource prosecutor, and a district attorney. They all concur that the document itself is a good basic platform for each LE agency to use.

One final thought on the checkpoint/saturation patrol documents. Do we need to provide some sort of "after action report" or "checkpoint summary" document for the agencies to use when they finish each detail? I know that we have report forms for each agency to report their successes each year to NASBLA on their efforts for ODW weekend.....but something they could use year round if they wanted to. Just an idea...there has to be one floating around somewhere.

As a side note, I did not see model checkpoint document on the ODW 2011 webpage.....only the model saturation plan. Maybe I just missed it. I have attached the model checkpoint document from 2009 that I had for Kristy.

Another idea I had while reviewing the documents from Kristy Moore, there is a Public Service Announcement that can be used for ODW calls "Sobriety Test". The dialogue in the PSA mentions the ABC test and the Backward Count test. Since we are making an attempt to transition into the new standardized/validated FST's, do we need to look at updating this PSA or leave it "as is" for now?

Let me know what else needs to be done on this charge or what else I can help with.

*Matt Majors, Investigator*  
*Boating and Law-Enforcement Division*  
*Tennessee Wildlife Resources Agency*  
*615-781-5271*  
[matt.majors@tn.gov](mailto:matt.majors@tn.gov)

## APPENDIX D

**From:** Bill.O'Leary@dot.gov [mailto:Bill.O'Leary@dot.gov]  
**Sent:** Tuesday, April 17, 2012 04:47 PM  
**To:** Moore, Richard  
**Cc:** Bill.O'Leary@dot.gov <Bill.O'Leary@dot.gov>; [chayesiACP@msn.com](mailto:chayesiACP@msn.com) <[chayesiACP@msn.com](mailto:chayesiACP@msn.com)>;  
[iacpdre@frontiernet.net](mailto:iacpdre@frontiernet.net) <[iacpdre@frontiernet.net](mailto:iacpdre@frontiernet.net)>; [cockroft@theiacp.org](mailto:cockroft@theiacp.org) <[cockroft@theiacp.org](mailto:cockroft@theiacp.org)>  
**Subject:** SFST's in the Marine Environment

Hello Captain Moore..... I have been talking to Chuck Hayes of IACP recently about the latest SFST curriculum for the Marine Environment and I wanted you to know that I am asking for permission for us to once again look over your project from a research point of view. The IACP is interested in perhaps adding this portion of your SFST's into the NHTSA/IACP Course, under certain conditions, the first of which would need to be a peer review study by at the very least our research body here at NHTSA.

I cannot speak for my agency yet, nor can I speak for the IACP, but for this to be included in our curricula, we will at least need to do a review here again, perhaps in a more in-depth manner.

If you can , can you send me any materials you would like me to utilize to get our research folks and my superiors to entertain the notion to look at this project further?

Also, Richard, please feel free to contact me by telephone if you wish to discuss this further, before sending on any materials.

Please keep in mind that this is by no means an acknowledgement that we can move forward on this; only that I am interested in seeing if we can impart your work into our curricula, knowing also that this would be the first step of many.

Warm regards..... Bill O'Leary

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