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License Revoked for Sitka Sport Fishing Guide; Jail and Fine Imposed for Illegal Acts

(SITKA, Alaska) – Eric John Morisky, a licensed sport fishing guide for Dove Island Lodge in Sitka, was sentenced by Superior Court Judge David George on April 12, 2011 for three misdemeanor offenses related to acts committed while Morisky was working as a sport fishing guide. Morisky was sentenced on one count of aiding or permitting a violation by a sport fishing client, making a false entry in a saltwater log book and one count of prohibited retrieval of shellfish gear by a sport fishing guide with paying clients on-board.

On June 18, 2009, Morisky guided two Alaska Wildlife Troopers, acting in a covert capacity, on a guided sport fishing trip for halibut, king salmon and rockfish through Dove Island Lodge. While on the guided sport fishing trip, Morisky aided a client in retaining an over limit of king salmon after the client had asked about the limit. Alaska law requires guides to accurately fill out the saltwater sport fishing logbook reflecting the number of fish caught by each client. Troopers observed that Morisky provided false information in the logbook by failing to reflect the over limit of yellow eye retained by one client by logging the over limit of fish under another clients name. Morisky did the same thing for an over limit of halibut. Morisky also pulled shrimp and crab pots while acting as a sport fishing guide with paying clients on board his vessel. Troopers observed a number of other offenses which were dismissed as part of the plea agreement.

Morisky was previously convicted in August of 2008 for aiding a client in the commission of a sport fishing violation during a guided sport fishing trip in July of 2008 for failing to immediately log the retention of a king salmon. Morisky was fined \$3,000 with \$1,500 suspended in that case and even commented about his prior conviction while guiding the undercover troopers. The facts of the 2009 case were nearly identical. Morisky failed to require his clients to immediately record the retention of fish, allowed clients to take an over limit of fish and allowed clients to catch fish for other clients on the vessel. Alaska law provides that fish retained are applied to the bag limit of the person that hooks the fish.

Morisky was sentenced as part of a plea agreement in which the court imposed a composite sentence resulting in a fine of \$18,000 with \$11,000 suspended, jail of 210 days with 160 days suspended, 80 hours of community work service that will convert to jail if not completed by December 30, 2011, a revocation of Morisky's sport fishing guide license for the 2011 season, and informal probation for a period of five years. At the sentencing, the state prosecutor indicated that Morisky's sentence was crafted to not only deter Morisky from committing similar future violations, but to also deter others from within the guiding community by making it clear that repeated violations of sport fish and game laws, especially those committed for commercial gain, will result in the revocation of one's privileges to work within the guiding industry. Judge George accepted the plea agreement and noted that the sentence was necessary to deter guides from committing violations for commercial gain. This is especially true when the violations happen in private settings that make enforcement difficult.

For more information on the case, contact Andrew Peterson with the Office of Special Prosecutions and Appeals at 269-7948 or Sgt. Katrina Malm with the Alaska Wildlife Troopers at 269-5445.