

The Ins and Outs of Crab Trap Theft and Tips on Prevention

by Maj. Sandy Dares

Most commercial crabbers experience crab or crab trap theft at some point. Recreational crab trappers also suffer losses. These crimes can range from a few traps being run for their crabs to hundreds of traps being stolen. Given that crab traps cost \$15 to \$25 each when rigged out, the losses can be staggering. Also, when a trap is stolen, the owner no longer has its catch, so he is out the cost of the trap plus all of the crabs it would have caught.

Although some people believe that taking a few crabs from a crabber's trap is not really hurting anyone, it's actually the same as if they had stolen the money right out of the owner's pocket. The crabber derives his income from selling his catch, so each stolen crab is a direct loss of profit.

Of course, whenever you leave something of value unattended in a remote location, sometimes for days at a time, it's possible that someone will steal it. Crabbers cannot guard their traps 24/7, and neither can law enforcement officers. But there are several things crabbers can do to protect themselves from these crimes.

To successfully prosecute a person for the theft of crabs or crab traps, several elements of the crime must be satisfied. The law enforcement officer must be able to identify the person who stole the traps or crabs and be able to prove who owns the stolen or run traps. In addition, the officer must prove that the accused took the crabs or traps with the intent to keep them, and did not have permission from the rightful owner of the crabs or traps.

Most cases are made based on someone witnessing the theft of the crabs or crab traps. One enforcement strategy that wildlife agents use is to watch for someone to run or load several traps, then approach him or her and check licenses. They then check the traps for tags and make sure the person running them either owns them outright or has written permission from the owner.

Agents also make cases when they observe someone loading a quantity of crab traps onto a vessel. In some cases, it's simply a legal fisherman moving or picking up his traps, but in other cases it turns out to be a thief stealing traps.

If a trap owner allows another person to run his traps,

he should give written permission, specifying his name, address and telephone number, as well as the name of the person who is being given permission, the tag number on the traps and a starting and ending date. The ending date protects the owner from a person running his traps when the owner

Without a set of distinguishing marks, one crab trap can look like another. Proving ownership is the crux of any theft case.

no longer wishes to allow that person to do so. Remember — licenses are required for anyone who runs traps!

The crux of any crab-trap theft case is that the wildlife agent and the trap owner be able to prove trap ownership beyond a reasonable doubt. Without this level of proof, a judge will not convict.

Crab traps are required to be tagged, but thieves will often remove the owner's tags. So, in addition to the tag, it is recommended that trap owners mark their traps in at least three other ways. The likelihood that two people will independently come up with the same three marks is very low, so most courts will accept a properly documented marking system of at least three distinct marks.

Examples of other marks include using different color



bait boxes, painting the bottom or sides of the trap, adding extra hog rings, cutting out one mesh in the trap or bait box, adding a tie wrap or using bait boxes with the plastic bottom engraved with the fisherman's name, etc.

Consistency is of the utmost importance in any marking system. The owner should mark each trap in exactly the same way and then carefully document the marking system. It's then much easier to prove you had a system in place prior to the traps being stolen. It is recommended that you write a detailed description of the various unique marks you use. Photograph the marks. Then mail this information to yourself, and do not open the envelope. You will then have a postmarked letter with the description in hand, thus

proving how you marked your traps as of that date.

The most important point is to properly record a detailed description of the trap, noting whether it's hex or square mesh, the color of mesh, how many baffles and funnels, any special features, such as rebar, plastic pipe, bait box materials and type of rope and float. It's also useful to have a receipt from a commercial manufacturer who may be able and willing to identify traps by the unique construction methods he used.

If, over the years, you have accumulated traps of different construction, a consistent marking system is critical to proving ownership. Decide on a system and stick with it.

If you see someone running or taking your traps, you can file charges against him in most parishes through a jus-

tice of the peace. You must be able to identify the person and provide his name and address. You will also need specific details of the crime: date, time and location, number of traps taken, accomplices, boat used, etc. If you see someone committing these crimes, you should immediately call a wildlife agent or sheriff's deputy. Some parishes have active sheriff's office water patrols and are willing to help with crab and trap theft.

If at all possible, take photographs of the person while he is running your traps. There is no more compelling evidence than a good picture.

If you lose traps to theft, you should immediately report this crime to your local wildlife and fisheries enforcement office and to the parish sheriff's office. If you wish to inspect another

crabber's lines of traps for yours, it is strongly recommended that you do so without any crabs, bait or traps in your boat, so that no one can mistake your intentions or actions for theft. You also should notify your local DWF enforcement office before you go out to pull traps.

In some areas, crabbers have formed committees to watch out for each other's traps. These cooperative efforts have resulted in successful prosecution of thieves, and the bonds formed reduce the competitive aspects of crabbing and lead to better cooperative ventures.

Although trap and crab thefts are expensive and frustrating events, crabbers are not powerless to take action. It is important, however, that the action taken be legal and be adequate to successfully address the problem. 🐞

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