

# Fishing: 'They are like floating prisons'

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And since they're not technically in the country, they're at the mercy of their American captains on American-flagged, American-owned vessels, catching choice swordfish and ahi tuna that can fetch more than \$1,000 apiece. The entire system contradicts other state and federal laws, yet operates with the blessing of U.S. officials and law enforcement.

"People say these fishermen can't leave their boats, they're like captives," said U.S. Attorney Florence Nakakuni in Hawaii. "But they don't have visas, so they can't leave their boat, really."

## Selling on West Coast

Each of the roughly 140 boats in the fleet docks about once every three weeks, occasionally at ports along the West Coast, including Fisherman's Wharf in San Francisco, but mainly at Piers 17 and 38 in Honolulu. Their catch ends up at fancy restaurants and in supermarkets' premium fish counters across the country, including Whole Foods, Costco and Sam's Club.

All companies that responded condemned the mistreatment of workers. Costco said it was investigating. Wal-Mart, which owns Sam's Club, declined to comment.

Charlie Nagle, whose family has been in the seafood industry for 130 years, said his buyers "do not and will never knowingly source from vessels that mistreat their crew." Richard Stavis of Stavis Seafood said Thursday that his company is not currently selling fish from Hawaii.

Whole Foods spokeswoman McKinze Crossland said only 1 percent of the chain store's seafood comes from Hawaii, and she has been assured that boat crews are well paid with bonuses and health insurance. She added that the company is looking into the issue.

The AP obtained confidential contracts and interviewed boat owners, brokers and more than 50 fishermen in Hawaii, Indonesia and San Francisco as part of an ongoing global look at labor abuses in the fishing industry. Last year, the AP reported about fishermen locked in a cage and buried under fake names on the remote Indonesian island village of Benjina. Their catch was traced to the United States, leading to more than 2,000 slaves



**Dr. Craig Nakatsuka, left, distributes medication and fruit to undocumented foreign fishermen who work aboard American fishing boats in Honolulu in May. The doctor comes to Pier 38 with a church outreach project that holds services for the men twice a week. He said he sees problems ranging from high blood pressure to skin infections due to a lack of gloves or improper gear and is concerned about the possibility of scurvy from a lack of fruits and vegetables.**

AP Photo/Caleb Jones

being freed. But thousands more remain trapped worldwide in a murky industry where work takes place far from shore and often without oversight.

## 'Floating prisons'

In Hawaii, federal contractors paid to monitor catches are troubled by what they've seen while living at sea with the men. "It's like, 'How is this even legal? How is this possible?'" said Forest O'Neill, who coordinates boat observers in Honolulu. "They are like floating prisons."

Under the law, U.S. citizens must make up 75 percent of the crew on most American commercial fishing boats. But influential lawmakers, including the late Hawaii Sen. Daniel Inouye, pushed for a loophole to support one of the state's biggest industries. It exempted commercial fishing boat owners from federal rules enforced almost everywhere else.

Thus the workers in Hawaii, who catch \$110 million worth of seafood annually, are paid as little as 70 cents an hour. They are detained on boats by captains who are required by law to hold their passports. That potentially goes against federal human trafficking laws saying bosses who hold workers' identification documents can face up to five years in prison.

U.S. Customs and Border

Protection and the Coast Guard routinely inspect the Hawaiian boats. At times, fishermen complain they're not getting paid and officers say they tell owners to honor the contracts. But neither agency has any authority over actual wages.

"This is a unique situation," said Coast Guard vessel examiner Charles Medicott. "But it is legal."

## Low wages

On some boats the fishermen are paid as little as \$350 a month, but many make \$500 to \$600. A lucky few get a percentage of the catch, making it possible to triple their wages. The men are willing to give up their freedom to take these jobs because the pay is better than they can make back home in developing countries where many people live on less than \$1 a day.

Boat owners pay brokers to bring the men from overseas — mostly from Indonesia, the Philippines, Vietnam and the tiny Pacific island nation of Kiribati. It costs about \$10,000 to get each fisherman to Hawaii. In the long run, foreign crews end up being cheaper than bait and ice.

Workers typically sign two- or three-year renewable contracts, and some extend repeatedly, staying up to a decade on boats with five to six crew.

In rare cases, boat owners can request passes from fed-

eral authorities to take workers ashore for things such as medical care. The men also come on land when their contracts are up and it's time to go home. Even though they never legally enter the United States, the government provides a transit visa that lets them exit through Honolulu's airport.

It's a system that leaves the foreign fishermen potentially vulnerable.

"Most of the fish caught and sold in Hawaii is done by the use of exploiting migrant workers in what looks to be a human trafficking scheme legitimized by our own laws," said Kathryn Xian, who runs the nonprofit Pacific Alliance to Stop Slavery.

Signs posted at Pier 17 in six languages offer a hotline to help fishermen who have been trafficked. That's what happened to Abdul Fatah and Sorihin, who uses one name. The Indonesians ran away from their boat six years ago when it docked in San Francisco and were eventually granted visas after being designated as victims of trafficking.

Sorihin has some advice for American seafood lovers: "Ask, where did this fish come from? Is it the kind of fish that you got from someone in slavery?"

Read the entire Seafood From Slaves series: <http://www.ap.org/explore/seafood-from-slaves/>

# Like Hawaiian seafood? Here's who's catching it

Associated Press

HONOLULU — Around 700 undocumented foreign workers, mostly from impoverished Southeast Asian and Pacific Island nations, work on Hawaii's commercial fishing fleet, the country's fifth-highest grossing fishery. They catch prized ahi tuna, mahimahi and other seafood at some of the country's finest restaurants, markets and hotels. They do not have visas and cannot enter the country, staying confined to their boats for sometimes years at a time — all with the blessing of high-ranking federal lawmakers and officials. An Associated Press investigation found instances of human trafficking, active tuberculosis and low food supplies.

to set foot on shore because they are undocumented, non-immigrants without visas. They have not technically entered the country and have no paperwork granting them access even onto the docks. They are, by law, detained by their boat captains who hold onto their passports. In rare cases, boat owners can request passes from federal authorities to take the fishermen ashore for things such as medical care. Though the men are not technically allowed to leave their vessels, security guards turn a blind eye when they go onto the docks, but no farther, to see friends.

## Who oversees this system and how is it legal?

Officials from U.S. Customs and Border Protection and the Coast Guard monitor the use of foreign labor in Hawaii's commercial fishing fleet, made up of about 140 boats. The federal agencies have no authority to set wages, but they do intervene when fishermen say their salaries are late or complain about other problems. The U.S. Attorney's office says the system is legal.

A loophole in federal regulations pushed by lawmakers including late Hawaii Sen. Daniel Inouye allows foreign men to work on the fleet. Fishermen were initially allowed to fly to Hawaii, but that ended after the Sept. 11 attacks.

## What kind of seafood do the fishermen catch

The men catch seafood including marlin, swordfish and ahi tuna used to make poke, a Hawaiian salad made with raw fish that's a staple in the islands. One fish can bring as much as \$1,000 at Hawaii's fish auction, the only one of its kind still operating in the U.S. The bulk of the catch goes to restaurants, hotels and markets in Hawaii, but about 20 percent is shipped to the mainland, where it's served in some of the country's finest restaurants.

## How did they get to Hawaii?

The workers are mostly experienced fishermen from Indonesia, the Philippines, Vietnam and the tiny Pacific island nation of Kiribati. They are not permitted to fly into Hawaii because they do not have visas. Instead, they are hopscoched thousands of miles by plane through several countries until reaching Pacific island nations, Panama or even Mexico. From there, they are put on boats for the long trip to Honolulu.

## How much are they paid?

The fishermen earn anywhere from \$350 a month up to around \$1,500 a month, depending on their boat and the bonuses they may be given. Most take home \$500 to \$600 a month. They work shifts as long as 22 hours with few breaks, and are typically at sea three weeks each month. Some salaries break down to as little as 70 cents an hour; for many boat owners, bait and ice cost more than crew salaries. The fishermen catch about \$110 million worth of seafood annually.

## Why can't they leave their boats

The men are not allowed

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**AB5280** IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

In the Matter of the Ancillary Estate of **Carol E. Kennedy Deceased.**

No. 16PB05716

**NOTICE TO INTERESTED PERSONS**

**AB5280** IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

James G. Kennedy has been appointed Personal Representative of the above entitled estate. All persons having claims against the estate are required to present them, with vouchers attached, to the Personal Representative in care of Heather Reynolds, Attorney, at P.O. Box 145 (800 Exchange Street, Suite 330), Astoria, OR 97103, within four months after the date of the first publication of this notice, or the claims may be barred.

Dated: August 25, 2016

James G. Kennedy, Personal Representative c/o Heather Reynolds, Attorney at Law P.O. Box 145 Astoria, Oregon 97103 (503) 325-8449

**Published: September 1st, 8th, 15th, and 22nd, 2016**

**Legal Notices**

**AB5292** IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

In the Matter of the Estate of **Carol K. Brown Deceased.** Case No. 16PB05673

**NOTICE TO INTERESTED PERSONS**

**NOTICE IS HEREBY GIVEN** that the undersigned has been appointed personal representative. All persons having claims against the estate are required to present them, with vouchers attached, to the undersigned personal representative at 1580 N. Roosevelt Drive, Seaside, OR 97138, within four months after the date of first publication of this notice or the claims may be barred.

All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the personal representative, or the attorney for the personal representative.

Dated and first published September 8, 2016.

Personal Representative: Steven E. Brown PO Box 1175 Seaside, OR 97138 (831) 419-1003

Attorney for Personal Representative: Steven T. Campbell Campbell & Popkin, LLC 1580 N. Roosevelt Drive Seaside, OR 97138 (503) 738-8400

**Published: September 8th, 15th, and 22nd, 2016**

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