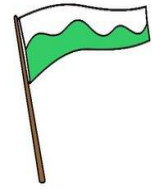




From The Masthead

South Bay Cruising Club



March 2015
Volume 65 - No. 3



The crowd ignored the snow for a few hours as the 'South Bay Salty Dogs' brought the House Down one more time..

at a Benefit for the
Brookwood Hall
Restoration Project
Hosted by
'Unique Concepts in Wood'
on February 28th.



A Great Time was had
by all.

Be Sure and Catch
their next Performance.

Well, here we go. The book on last season is closed. Racing trophies are on the mantel, cruising awards are...wherever they go, photos of last year's good times and happy faces are spread out in the yearbook files waiting at the printer, and my supply of Motrin is ready for the annual cleaning and polishing. It's every boater's dream-a boat that gets bigger every year. But that's only on the outside. On the inside it seems to get smaller. Either way, there must be muscles that sit dormant all season long and only come out to complain in the Spring.

We look forward to welcoming a number of new members and associates who joined late last season and over the winter. Some of our other members, new and old have upgraded to bigger and better boats. Can't wait to get the nickel tours. Hope they can all join us on one or more of the Club cruises.

If you can't do the always memorable two week coastal cruise in July, try to take a week and join the one week Bay cruise in August. There are multiple locations within a stone's throw, and some year's turnout can be upwards of thirty boats, with people occasionally visiting by car or ferry.

Speaking of the yearbook, I can't wait to see the finished product. From what I've seen so far, it's the best yet, with more color, some great articles and more. Peg Daisley and her team of professionals deserve two thumbs up.

Stephanie and Jay Pizer have been busy collecting membership dues and presenting a gaggle of new members and associates for the board's approval.

DJ Greco and Aileen Eppig have completed the rendezvous and racing schedules-no easy task, since their schedules have to avoid conflicts with other clubs and with each other.

Mark Romaine and Della Bucher are in the early stages of planning the five major Club parties.

There are some jobs that are more mundane and get little recognition, such as Sandy and Chris Carlberg, who do nearly all the Club mailing and emails, and Charlie Margeson, who studiously does his job as Recording Secretary at the board meetings quietly and without complaint.

These are just some of the people who give their time and effort for all of us.

So the stage is being set for another memorable SBCC season. Let's all make the most of it.



SBCC 2015 Winter Program Events You're Invited!

Saturday March 14th, 2:00-4:00 pm

Row Hard No Excuses

*John "USrowBoy" Zeigler presents his thrilling documentary of the Atlantic Rowing Challenge, a multi-country rowing race across the ocean, done in boats with only two-man crews. The West Islip Public Library - Room A
3 Higbie Lane, West Islip, NY*

\$5 for SBCC Members, free for guests

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*Saturday March 28th, 1:30-4:00 pm*

*United States Life Saving Service*

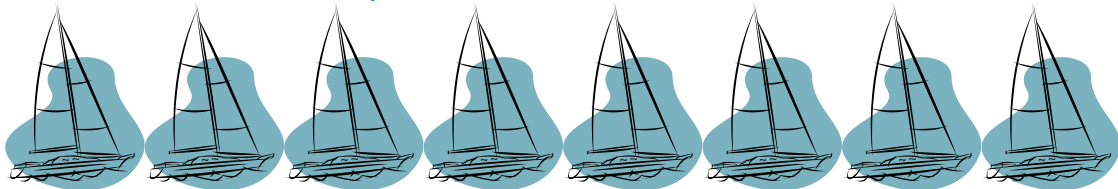
*Bill Nelson of the US Coast Guard Historians Office, shares exciting stories of the organization which predates the Coast Guard.*

*The Long Island Maritime Museum - Library Room*

*86 West Avenue, West Sayville, NY*

*\$6 per attendee (\$4 seniors) to be paid at museum - limited seating*

*Please RSVP to Rich Troy by email: [t4oyman@aol.com](mailto:t4oyman@aol.com) or phone if necessary: (516) 935-5367 invitation*



Report from the Chantey-man,

During the last hours on the last day of February while many were still chipping away at the ice on their steps and driveways, Scott Woodrick, a longtime member of the Club and proprietor of Unique Statements in Wood, located in Bay Shore, threw the second fundraiser of the season at his shop to raise money for the Brookwood Hall. The Club's band, South Bay Salty Dogs (nee Old Salts Band), rocked the house that night as usual!

Town of Islip Councilman Steve Flotteron was present and opened the evening of fundraising for the 1903 structure that was originally built for the wealthy Knapp family, later sold to financier Francis B. Thorne, and designed by Delano and Aldrich.

Many thanks go to Scott Woodrick for his time and financial commitment to the evening, as well as to the South Bay Salty Dogs for donating the positively rocking entertainment! Thanks also go to Bulls I BBQ Caterers and Amore's Pizza for donating food for the evening.

Yours,  
Harry Manko

## ***From the Fleet Captain-----***

Well while most are hibernating from the winter weather, some of the SBCC folks have become "Sunbirds" as we call ourselves down in sunny Florida. So Cindy LaValle had this GR8 idea to have our first Rendezvous of the season right there in Venice, FL, where she lives during the winter months. She hosted this rendezvous with her friend Mike who was using a selfie stick for the first time (check out the picture). LOL



What a wonderful day we all had with Cindy & Mike. Belle was visiting her friend in Sarasota. Roger & Peg drove down to Florida to check out rentals. Joe and I were in our place in downtown St. Pete, and Mom was down here visiting us for a week. We all met at Cindy's beautiful place in Venice on a lake. After a quick tour of the house, we all grabbed a box lunch and headed to Stump Pass Beach State Park where we had a picnic and a long walk to the inlet (a lot like our new old inlet but with aqua water). We all enjoyed catching up with each other and looking for seashells and then found out the beach was known for its shark teeth!!! How cool was it to find a few.

The morning fog gave way to a sunny, beautiful day on the beach. We then all returned to Cindy's for an afternoon cocktail and a wonderful dinner they prepared for all of us. YUMMY!! What GR8 hosts Cindy and Mike are. We of course all talked about the SBCC and how we all enjoy different aspects of the Club. Roger, OF COURSE, had to break into a song every so often, and I must admit I did too. It was just a GR8 day all around. They even had beautiful cranes dancing around right outside their door. How cool.

The day was wonderful, and it made me realize how much I miss all my SBCC friends, and how much I miss the band and all our practices. We all agreed how we enjoy the Club and all those folks in it. They are all truly good folks who all have this common denominator - they all LOVE TO SAIL (and have a good time). Thanks to Cindy & Mike for such a lovely day. We all look forward to the summer back in NY where we can all meet again for more rendezvous!!

DJ Greco  
Fleet Captain  
From St. Pete, FL



# Coast Guard Boardings and Your Fourth Amendment Rights, Part 4: Longer and Legaler



Posted by [Clark Beek](#) // July 30, 2014 continued from [Part 1](#), [Part 2](#), and [Part 3](#)

The [Coast Guard Boardings and Your 4th Amendment Rights](#) posts have been spawning some lively discussion ever since I wrote them, nearly two years ago. Most recently I hear a Coast Guard Facebook page linked to the posts, so there's been a renewed boost of comments from the Coast Guard side of things. Thanks to all who commented. I've been largely silent because I

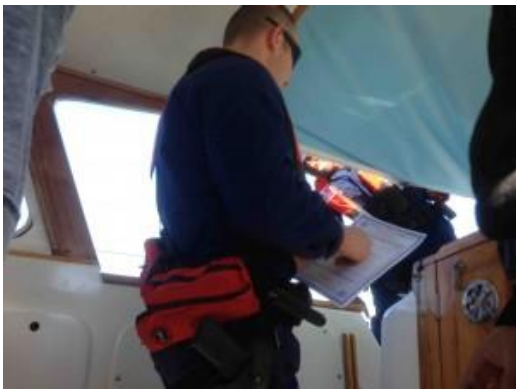
already had my say, but of course I've read what all of you had to say, most of which was constructive, and I investigated where I could.

Here I'll revisit the topic, make some corrections and clarifications, and add what I've learned through relentless research of case law and law review articles, which contained many words I had to look up.

First of all, the point of the posts was not to criticize the Coast Guard, but to inform boaters and to question [Title 14 section 89 of the United States Code](#) (and associated laws, more on this later). Many boaters, at least many I've spoken with, simply aren't aware that they can be boarded at any time. It's safer for all involved if we're informed and on the same sheet of music.

It's hard to separate the message from the messengers, and I realize that my posts, from the title on, are guilty of this. The message is the law and the messengers are the US Coast Guard boarding parties. Don't shoot the messengers! It's not their doing, and as I'll point out later, it appears that the Coast Guard's policy is actually to be less intrusive than the law allows. Many commenters – former Coasties, Coast Guard wives, et al – pointed out the dedication and good intentions of Coast Guard personnel, which certainly isn't in doubt. “We're not the Gestapo, man,” was one comment. We know you're not the Gestapo! The worry is that these laws give the authorities the right to behave like the Gestapo if they want to, and they might want

to someday, and certain bad apples might want to behave that way right now, on my boat of all places.



## **Department of Corrections**

I said, “By the way, the average Coast Guard vessel has advanced optical equipment and digital cameras: When you can barely make out individuals aboard their cutter, they're reading the numbers off your iPhone.”

This was obviously an exaggeration, and perhaps a bad choice of words. I know they can't actually read the numbers off your iPhone, but I also know that powerful optical equipment, digital cameras with extreme telephoto lenses and image stabilization, and night vision scopes have become fairly cheap, and are common equipment for all law enforcement these days. Every day I look at a photo of a certain vessel that was taken

from a Coast Guard cutter on the open sea, at a distance of one mile. You can't read numbers off an iPhone, but you can see the expressions on people's faces (worried).

I also said, "They can look through your bed sheets, in your lockers, in your bilges, in your jewelry box, or in your pockets," and many took issue with this, saying the Coast Guard boarding parties can't or don't do this.

The short answer is that under the law they can, but most of the time they don't...but there are exceptions.

Coast Guard officers are also Customs officers, so in addition to the grant of authority they have under Title 14 Section 89, they also have full powers under [Title 19 Section 1581](#):

"Any officer of the customs may at any time go on board of any vessel or vehicle at any place in the United States or within the customs water of, as he may be authorized, within a customs-enforcement area established under the Anti-Smuggling Act, or at any other authorized place, without as well as within his district, and examine the manifest and other documents and papers and examine, inspect and search the vessel or vehicle and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel or vehicle, and use all necessary force to compel compliance."

Did you get that part?: "...examine, inspect and search the vessel or vehicle and *every part thereof* and *any person*, trunk, package, or cargo on board..." (My italics added).

They also have the full authority of Fisheries officers, Immigration officers, et al, but I think we've clearly established that Coast Guard boarding parties have "one of the most sweeping grants of police authority ever written into US law," and we don't need to belabor the point further.



Coast Guard commenters (by which I mean mostly former Coast Guard officers) said that spaces with a "reasonable expectation of privacy" are not searched without probable cause or a warrant, and they said this is the directive from the Commandant. I haven't seen the directive, which is an internal Coast Guard document and not public, and I probably won't see it unless somebody wants to be Edward Snowden (ha ha). But I've heard about it enough times that I believe it exists, and I applaud the Commandant for respecting our privacy and scaling back from what the law might allow.

Also, several said, essentially, please don't give us any reason to go beyond a routine search (Hide the weed, people!) because we don't want to get into your personal spaces. I also applaud this attitude, but unfortunately it's not the attitude or the Coast Guard policy in question here, but the boundless search and seizure powers they have under current laws, which contradict our Fourth Amendment protections and subject law abiding seafarers to unreasonable searches.

And this reasonable expectation of privacy is sort of moot on a small boat. On a big freighter the boarding team might search the bridge, decks, etc., and check documents and safety gear, but treat staterooms and offices as private. On a small boat like mine everything's in plain view right from the get-go: The moment the boarding party steps into the cockpit they've got a clear view to where we sleep, where we eat and prepare our meals, my wife's clothes, and our kid's dirty diapers. If they check the Y-valve on our toilet,

then they're in our bathroom, the holiest of holies. I suppose I could close the hatches and companionway doors before my next boarding, but I'm guessing this would look suspicious and be grounds for further investigation.

As to the exceptions to respecting personal spaces within the context of Coast Guard policy, my guess is that the main exception is if they've received a tip. Once on our family boat we were boarded a mile or two off the backside of Catalina Island. It was just my dad, a friend, and me, and we certainly weren't doing anything suspicious, but the boarding party looked in drawers and searched our bags, definitely places with a reasonable expectation of privacy. My guess is that they'd received a tip that there was going to be a drug rendezvous on the backside of Catalina, and were shaking down the vessels in the area. If the police received a tip about such activity on land they'd have to convince a judge that the tip was valid enough to issue a search warrant. We'll never know what happened on the backside of Catalina, and we got the ubiquitous "I'm not at liberty to say," when we asked.

Coast Guard commenters said that boardings are limited to safety inspections – that's it – and they won't do anything but check for safety gear unless indicated otherwise. This is probably the case much of the time, but in the [Coast Guard's own words](#), "Of particular interest are laws dealing with the 200-mile Fishery Conservation Zone, drug smuggling, illegal immigration, and safety and water pollution." [My boarding a few months ago](#) was strictly an anti-terrorist sweep, and they didn't do any safety check whatsoever. And of course they're always interested in your level of sobriety.

Several pointed out that the Coasties don't like these boardings either, that most of them dread boarding private boats because it's uncomfortable to intrude on people's day, and boarding strange vessels is fraught with uncertainty and risk. They don't like it. We don't like it. Nobody likes it. We can all agree on that, but what good comes from it?

I still maintain that 90% of what is accomplished through surprise boardings could be accomplished without trammeling our 4th Amendment rights. The other 10%, the surprise safety inspection part, would have to be covered somewhere else, like a scheduled inspection, or my preference, personal responsibility. There is no doubt that these surprise inspections, or the potential for these inspections, keep boaters safer, and reduce the number of distress calls to some extent. To what extent, we don't know. Some boaters have never been boarded their entire lives, while I've been boarded seven or eight times over the years. It's hard to say what the effects of such random, willy-nilly searches are on the public, much of whom isn't even aware they can be boarded in the first place.

What is the most dangerous place in America, the place where you are most likely to die from an accidental death? Okay, it's your car, but second to your car it's your home, and within your home it's your bathroom. Many thousands of deaths could be averted by surprise inspections of our homes for proper and up-to-date smoke alarms, fire extinguishers, carbon monoxide detectors, safe wiring, adequate railings, grab bars in showers, tripping hazards, etc., but we place a value on privacy in our homes, especially in our bathrooms.

This is something that we'll never all agree on. Some people believe in safety at all costs; others, like one of the commenters, say "I'll take my dangerous freedom over your safe slavery any day."



Now, on to the case law that has brought us to this state of affairs. If, from our courts, you're hoping for a careful analysis of constitutional law and an even-handed balancing of our freedoms versus the public good, get ready to be disappointed. Some of the comments on these posts could be swapped for the courts' opinions and nobody would know the difference. The legal opinions are just that, opinions, and don't seem to be anchored in any cost-benefit analysis. And to establish case law you must have a case, and to have a case you must be a drug smuggler or rum runner (for the case law established during Prohibition).



The law review papers all have pithy titles like "Smugglers Blues or Boater's Nightmare?," "Constitutional Barriers to Smooth Sailing," "Reasonableness Gone Overboard," and "At Sea with the Fourth Amendment" and they all seem to love the quote about the shield against unreasonable searches not rusting on exposure to salt air, which is attributable to Judge Alvin Benjamin Rubin in his concurring opinion on *United States v. Williams* (1980). There doesn't seem to be a single law scholar who supports suspicionless searches. My favorite law scholar, Megan Jaye Kight, even adds in a footnote, "I wish to express my appreciation

to the United States Coast Guard for stopping me and my family in the middle of the night in order to search our vessel and sparking my interest in the subject of this Note."

The [Coast Guard says](#), "The courts have consistently upheld this authority," but that's not quite true. (I said it too, in [Part 3](#)...oops.) There has been a lot of flip-flopping over the years, and the courts have often found in favor of a defendant on constitutional grounds (the Fourth Amendment litmus test of reasonableness) but again, we're just dealing with drug smugglers and not the rest of us.



*Image Courtesy of US Coast Guard*

It troubles me that the constitutional freedoms of [75 million American boaters](#), and the day-to-day job requirements of innumerable Coasties, are being decided by a small handful of criminals and judges, most of whom probably aren't seafarers of any flavor. Whether the boardings are a good idea in general has never been the question: The question is always limited to whether the evidence is admissible in a particular bust. Why and how this translates into nationwide policy seems strange and a bit, well,

crazy. And supposedly "no act of Congress can authorize a violation of the Constitution," but here these laws are, in the Federal Code.

In *United States v. Villamonte-Marquez* a Coast Guard search uncovered 5800 pounds of marijuana on the 40-foot sailboat *Henry Morgan II*. The defendants' motion to suppress evidence under the Fourth Amendment was denied at trial. The decision was reversed by the 5th Circuit Court of Appeals, which allowed the motion to suppress, but then the Supreme Court overturned this and the defendants were convicted of too many crimes to list. This happened in Louisiana in 1981.

In *United States v. Piner* a Coast Guard boarding party found 4000 pounds of marijuana aboard the 43-foot sailboat *Delphine*. The 9th Circuit Court upheld the defendants' motion to suppress the evidence under the 4th Amendment, as did district court before that, and the defendants went free. This happened on San Francisco Bay in 1978.

First lesson, if you're going to get caught with thousands of pounds of pot on your sailboat, do it in San Francisco where you fall under those free-wheeling hippies on the 9th Circuit Court of Appeals. Those 5th Circuit Court of Appeals guys are hangin' judges! The Circuit Courts of Appeals are regional (The 9th Circuit covers the nine Western states) and they are the second-highest courts in the land, second only to the United States Supreme Court. Usually the buck stops at the Circuit Courts of Appeals, as the US Supreme Court selects only about 100 cases per year to review.

The *Piner* decision mainly dealt with whether a boarding was more intrusive at night than in the day, which seems like a red herring. Later decisions reversed this, and nighttime boardings are now treated just the same as daytime boardings. But the *Piner* court opined (per [Greg Shelton](#)) that "the law enforcement stop is a "subjective intrusion" that results in a "particularly unsettling effect upon the ordinary person."

Much of the legal discussion hinges on *Delaware v. Prouse*, which held that the random stop of an automobile by state police for a driver's license and registration check was an unreasonable intrusion on the automobile traveler, and therefore violated the Fourth Amendment. *Prouse* established that police may only stop a motorist if they have "an articulable and reasonable suspicion" that the motorist is in violation of the law.

Comparing *Piner* to *Prouse*, the *Piner* court reasoned: "If the stop of an automobile upon a public highway by an identifiable police car is felt to create such subjective intrusion as to require the use of potentially less intrusive alternatives, surely the stop of an isolated boat after dark, followed by a physical intrusion upon the boat itself, would have an unsettling effect immeasurably greater, placing a far greater demand upon the government to come forward with balancing factors."

At least somebody's taking into consideration the "particularly unsettling effects" of surprise searches by armed men.

Back to *United States v. Villamonte-Marquez*, an often-cited watershed case. In his excellent paper in the St. Johns Law Review, [Searching the Parameters of the Fourth Amendment Requirement-Reasonableness Gone Overboard: United States v. Villamonte-Marquez](#), Lawrence A. Levy provides a complete analysis. Keep in mind that throughout these analyses the terms Coast Guard officer and Customs officer are interchangeable:

"The circuit courts have upheld warrantless boardings that fell within two categories: (1) a border search at the functional equivalent of the border if the officers are reasonably certain that the vessel crossed the border; and (2) an investigatory stop if the customs officers have a reasonable suspicion that there is unlawful activity aboard the vessel. These criteria are not mutually exclusive and the Court could have adopted both, thus affording the necessary protection to fourth amendment rights. Instead, the Court held that the exercise of unlimited authority pursuant to the plain language of the statute was acceptable under the fourth amendment. Creating an exception to the warrant requirement permits customs officers unlimited discretion to stop and board any vessel they choose. The Court may have overlooked the dangers of

improper use of such authority as a device to circumvent the protections of the Constitution. Under the facade of a section 1581(a) documentation check, overzealous customs officers may board vessels indiscriminately with vague hopes of obtaining evidence of such serious violations as smuggling. Never before has the Court permitted law enforcement officials such unlimited discretion to conduct “fishing expeditions.” Indeed, *Villamonte-Marquez* represents yet another extension of the recent trend of Burger Court decisions weakening the fourth amendment.”

Levy goes on to say, “As the dissent (in *Villamonte-Marquez*) observed, a vessel commonly serves as a dwelling for its occupants. Therefore, if a distinction is to be made between automobiles and vessels, it should be recognized that the occupants of a vessel have a greater expectation of privacy than those of an automobile. Although this expectation of privacy must be balanced against the Federal Government’s interest in enforcing the smuggling and vessel documentation laws, it is suggested that the Government’s interest in recreational vessels is less compelling than its interest in commercial vessels. It is further suggested that the correct balancing of interests mandate that the standards employed for the stopping and boarding of pleasure vessels at least be set at the level of those governing automobile stops.”

Judge Anthony Kennedy dissented in *Piner*: “Vessels are not entitled to the same Fourth Amendment protections as their landlocked counterparts.” It was a dissenting opinion (he lost) but there it is in black and white from a current Supreme Court Justice.

Another watershed case was *United States v. Williams*, about which Levy says:

“*United States v. Williams* (5th Cir. 1977) involved the boarding of houseboat by customs agents pursuant to section 1581(a). The court held that customs enforcement applied only to vessels which normally carried cargo or persons subject to the customs laws. Indeed, the customs laws maintain a distinction between recreational and commercial vessels. For example, American vessels arriving from a foreign port or place and all foreign vessels are required to make entry at the appropriate customhouse. However, “licensed yachts or un-documented American pleasure vessels not engaged in trade nor in any way violating the customs or navigation laws of the United States” are not required to make entry at the customhouse. Nevertheless, though not required to make entry at the customhouse, pleasure boats now are subject to random boardings by customs officers. With respect to the Federal Government’s interest in assuring compliance with the federal documentation laws, it should be noted that the federal documentation law for pleasure vessels is optional.”

Levy, continued: “Today, recreational vessels are the predominant type of boat on the water. When the Legislature enacted section 31 (the predecessor to 14, 89) it could not have envisioned the nature and extent of recreational boating as it is engaged in today; nor would the random search of pleasure crafts have been consistent with the commercial orientation of the statute. Therefore, the historical pedigree of section 1581(a) should extend, at most, only to commercial vessels.”

I pointed this out in Part 3, that the original intent of the Revenue Service Act of 1790 was to collect tariffs from cargo ships, but this argument hasn’t seen the light of day in court since Prohibition. *Fish v. Brophy* (1931) was illustrative:

Per Levy, “*Fish* involved the boarding of the plaintiff’s pleasure boat in New York Bay, and a subsequent warrantless search of the vessel. The court held that section 581 of the Tariff Act of 1922 (current version at

19 U.S.C. § 1581(a) (1982) did not apply to pleasure boats. The district court reasoned that manifests were required only in the case of vessels carrying cargo from foreign ports. In addition, the court believed that the Legislature could not have intended to place pleasure boats in the same category as commercial vessels. Two years later, in *Olsen v. United States*, (2d Cir.1933), the Second Circuit held that the statute applied to pleasure boats as well as to commercial vessels. Although the court acknowledged that pleasure boats were treated as a distinct class under federal law, it held that federal regulation of such vessels mandated that they be subject to examination under section 581. It should be noted, however, that the court's holding did not address the intent of Congress in enacting the statute."

Levy concludes, "By subjecting the fundamental rights of boaters to the unlimited discretion of customs officers, the Court has eviscerated the fourth amendment, not only as it applies in the maritime setting, but with respect to inland waters as well."

It's hard to say, historically, how this has played out. Most of it was before my time, but several of the law scholars cite increased intensity during Prohibition, and from the start of the War on Drugs:

"The Coast Guard's emphasis on law enforcement changed dramatically after the end of Prohibition. The onset of World War II, the postwar emergence of the United States as an economic power with increased marine commerce, and the wars in Korea and Vietnam all forced the Coast Guard to focus on missions other than law enforcement until well into the 1970s."

"The struggle to keep drugs from our streets and homes has fostered a judicial tolerance for the exercise of Coast Guard authority that hardly qualifies as Fourth Amendment analysis. Indeed, the trend in court cases analyzing Coast Guard boardings demonstrates that deference has increased over time. This trend stands in stark contrast to the increase in restrictions upon land-based enforcement methods in this century." ([Greg Shelton, 1993](#)) I have no personal sense for this, as the War On Drugs has been hot my entire life.



Again, those issues, the case law, and national policy comes from the legal wranglings of a few smugglers. As for the rest of us law-abiding seafarers, I think Shawn Hall's story, posted as a comment, is representative of the intrusion, inconvenience, and even danger we face with these boardings, no matter how polite and routine they may be: *"Actually, from what I have seen they are boarding to see if someone is drunk or check for drugs. Honestly they endangered my whole family recently. They did it respectfully but it was a waste of time.*

They pulled us over nearing dusk, I had 4 miles to go, easy 2 foot waves and sunlight. My father was driving and had had 2 glasses of wine approximately 4 hours beforehand, he is over 60 and not an often drinker.

They were very polite, asked us for all of our paperwork, checked our toilet Y valve? and everything else on the check list of safety. While of course they made a point to look in our bathroom, in our cabin, and in the engine compartment (Checking that Y Valve, or looking for drugs more likely). They then gave my father a sobriety test that took forever, then breathalyzed him, he was well under the legal limit. They also gave me the sobriety test ( I literally asked for one out of curiosity, I could not do tip to tip finger to nose perfectly, that is harder than it looks) They breathalyzed me 0.000.

It was a respectful event but it took over an hour long. The problem being that by this time dusk was to full dark and the cooling of the evening started kicking up the sea (Lake Erie goes from calm to dangerous in a blink) We can of course navigate at night but it is always easier and safer to enter harbor and dock with the sun.

The reality is that they were looking for drugs, looking for someone over the legal limit, looking for anything they could arrest someone for.

So yes, nothing bad happened to us, but I was severely inconvenienced, my family put in danger, and for what purpose? We were on a motor boat, under way, 4 miles from shore in calm waters, lights were on and visible.

Engine runs good and clean. Numbers on side of the boat are professionally done, registration is up to date.

So, how is this helping us? How is this about safety? It is true that if you haven't done anything wrong, being stopped won't get you arrested, but what does that matter, why is that any better? What if I just came into your home, asked you questions (you have to answer) very politely of course, but you have to answer me, you have to be polite to me, you have to let me look through all your things.

I walk upstairs in your home go through your wife's underwear drawer. You pay taxes, you haven't done anything wrong, you just came home from work and were getting ready for dinner.

I now politely ask you some more questions, I rummage through your bathroom, your dinner is getting cold.

An hour later I say you're good to go and I politely leave.

Are you okay with this? Why are you more okay if it is a police officer, a DNR agent, or the Coast Guard?"

Since we recreational boaters use our boats in our leisure time, delays like Shawn's aren't often the focus of complaints. If we were using our boats to get to work or go to appointments these twenty minute to one hour delays would wreak havoc with our schedules and cost us money.

For the foreseeable future, Coast Guard boarding parties will remain "America's supercops." It is a great power, and a great responsibility. They say absolute power corrupts absolutely, but incidents of abuse of this power are rare but present. Coast Guard personnel are well-trained, and I'm pleasantly surprised at how little abuse there is. If what's been said is true, I encourage the Coast Guard to continue to undershoot the scope of what they can do under Title 14 section 89 and associated laws, and respect citizens' privacy wherever possible. Meanwhile, we'll hope the law is overturned on constitutional grounds, or by an Act of Congress.

This article was syndicated from [The Adventures of the Vessel Condesa](#)

Between working late, shoveling snow and not feeling the greatest, going out to food shop was something I'd promised myself again and again I'd do 'tomorrow for sure'.... and food supplies were dwindling!

Nevertheless, I had to make dinner. So I opened the fridge and found 2 old Campari tomatoes, some onions and two pathetic looking potatoes. I began to panic!

I then opened the cupboard and on the middle shelf I found a large can of chick peas, sitting there all by themselves, looking very lonely.

So I decided to start with those ingredients and came up with the recipe below. The recipe turned out to be a simplified version of my grandmother's Ceci e Patate recipe which calls for other ingredients including celery, carrot and prosciutto. But as it turns out, on a cold snowy Wednesday night, my ad lib recipe was not only delicious, but soul warming. Enjoy!

### **Chick peas and Potatoes**

1 tablespoon Butter

Extra Virgin Olive Oil (enough to cover bottom of pan)

1/2 medium size onion finely chopped

Fresh tomatoes, coarsely chopped (3-4 Campari or Roma tomatoes)

1 tablespoon white wine

One large (or two small) finely chopped potatoes

One large can chick peas drained

One medium pot of vegetable (or chicken) broth made from bouillon cubes, and kept on the stove top, at low flame, to keep hot

Rosemary

Saffron or Red Pepper Flakes (optional)

No salt is required in this dish as the broth made from the bouillon cubes is already salty

Note: This recipe is prepared in much the same way you would make risotto. Ladle enough broth over the sauté to barely cover the surface. When broth is nearly all absorbed, you again ladle enough broth to barely cover the surface of the sauté....and so on until potatoes are tender but not overdone. Remember to keep broth at a low boil during this whole process to keep it the same temperature as the sauté.

Directions: In a deep sauce pan, sauté the onion and tomatoes in the oil/butter. When saucy, add the potatoes. Like risotto, add ladles of hot vegetable broth to cover surface of sauté and let potatoes cook until al dente. Add broth as needed. Add chick peas and Rosemary to taste. Use more broth to cover chick peas and to keep potatoes cooking while not sticking to bottom of pot. Once potatoes are done remove from flame, add saffron or red pepper flakes and serve hot!



# WELCOME

## New Members:

Andrew and Tiffany Drossos

19 Wyandanch Avenue, Babylon, NY 11702

H - 631-587-8971 C - 631-559-7341 C - 631-766-9252 B - 631-242-2565

[andy@biocraftorthotics.com](mailto:andy@biocraftorthotics.com)

[tiffandy@aol.com](mailto:tiffandy@aol.com)

Andy and Tiffany sail "Sabbatical" a Pearson Ketch out of Babylon

Justin and Fernanda Rose

802 Center Bay Drive, West Islip, NY 11795

C- 631-793-7225 C- 631-903-1399

[rossee@ymail.com](mailto:rossee@ymail.com)

[maryfer-sj87@hotmail.com](mailto:maryfer-sj87@hotmail.com)

Justin and Fernanda sail " Mr. Banana Hammock" an ODay Masthead Sloop out of West Islip

Matthew and Laura Cooper

122 Sequams Lane Center, West Islip, NY 11795

H - 917- 734- 8738 C - 917-734-8738 C - 386-383-9532

[coopermjc76@gmail.com](mailto:coopermjc76@gmail.com)

[lcoop75@gmail.com](mailto:lcoop75@gmail.com)

Matthew and Laura sail "Bow Movement" a Catalina Masthead Sloop out of Annapolis , MD

Todd and Pamela McCarthy

216 Atlantic St., Central Islip, NY 11722-4919

H - 631-277-0248 C - 631-905-6715 C - 631-905-6716

[tmc1955@verizon.net](mailto:tmc1955@verizon.net)

[pmccarthy58@verizon.net](mailto:pmccarthy58@verizon.net)

Todd and Pam sail "Bleu Moon" a Tartan Sloop out of Great River

Lawrence Becker

153 Eaton Lane, West Islip, NY 11795

C - 631-987-7047

[LarryBecker3@hotmail.com](mailto:LarryBecker3@hotmail.com)

## New Associate:

Gustave Rappold

74 E Cedar St. Massapequa, NY , 11758

C - 516-698-0439 B - 917-577-8869

[ironfistbrewery@yahoo.com](mailto:ironfistbrewery@yahoo.com)

Gustave sails "Lunatic" a Buccaneer 18 out of Narrasketuck YC

## Measles

New York State department of health has issued a health advisory regarding measles. New York State, outside of New York City reported 5 confirmed cases of measles in 2014 and 1 case in January of this year. In the year 2000 measles was considered eliminated nationwide however travelers with measles infection are bringing the disease into the United States and those who are not immune are susceptible. In 2014 there was 644 cases reported to the CDC in the United States.

Measles symptoms include fever, (101-105) followed by a cough, nasal congestion, conjunctivitis and a rash. The rash usually starts on the face and proceeds down the body involving the extremities last.

Measles is highly contagious. It is spread via airborne transmission and direct contact with infectious droplets. Measles virus can remain active and contagious for up to 2 hours in the air and on surfaces.

Anyone who has had 2 doses of the MMR vaccine is considered immune to measles as well as those who were born before 1957. You can check with your doctor if you think you may not be immune.

Also, for those of you who have not gotten your flu shot it is not too late. Flu is still prevalent.

***Fleet surgeon, Peggy Van Tassel***

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Sailing 101 +102

I have been asked to do another class of a Sailing course for women. This will be a refresher course from last year plus practical time (on board). In the month of May & early June, we would do practicals on the sailboats of your instructors. I would like to present a proposal to the significant others of the women taking this course. It is important that each woman be familiar with her own boat. My proposal is to have some practical time on their own boat with an instructor and with her partner aboard. I know this is new territory, but it would also bring about many safety benefits for each partner. In cases of emergencies, we should all be knowledgeable in securing the boat and handling the problem.

If any women would be interested please e-mail or call me.

H [631-539-2707](tel:631-539-2707) C [631-626-3568](tel:631-626-3568) or dbucher1010@yahoo.com

The dates are April 28th & 30th from 1930 to 2100 hours at West Islip Library.

Hope to see all who are interested in better boating.

-Della Bucher, della.calm

In your early childhood can you guess how many days and on how many occasions you were the focus of life and activity? Can you remember entering a room where everyone stood in awe of you? Can you still hear the compliments? Do you recall hearing them speak about you in delightful terms as they admired your facial expression? Can you recall their glowing remarks about your accomplishments?

Some individuals retain their perception that they are special.

When was the last time you were the center of attention?

Remember your limelight is big enough to share with the world!

Many thanks to Eric Forsyth for sharing his video and his experiences in trying to sail to Antarctica in 2013-2014! Eric says he has made 4 attempts to sail to Antarctica and only succeeded 2 times - an indication as to how severe the weather can be in that part of the world.

About 40 people attended the SBCC Program event on 2/14/2015, which ended with a rousing round of applause for Eric in appreciation for his professional quality video and his time talking about the trip.

For those who are not familiar, Eric has logged over 318,000+ nautical miles and he has been recognized with achievement awards from the Cruising Club of America, the Seven Seas Sailing Association and our own SBCC.

As Program Chair, I tried a new approach to the Program Events by not offering coffee, tea or snacks and not charging an admission fee to our members. Instead small bottles of purified water were made available with ice cubes and plastic cups- all from the Program budget and free to the attendees. When I asked the audience if they missed having the coffee, tea or snacks along with the admission fee- their reaction seemed a unanimous approval for no admission fee and no coffee/tea/snacks. Email supportive comments were received after the event confirming approval for this no admission approach. Look forward to more of the same! P.S. Our event at the Long Island Maritime Museum does require all attendees to each pay their own museum admission fee. ---***Rich Troy***



In Memory of Nancy Swan She was the wife of one of the founders and early commodores of the SBCC. A member since 1951.

Anchor Locker

Does anyone have anything nautical for sale? Contact me, June Tedesco, at capt1@optonline.net. Send me your short Ad along with contact information for the next Masthead.

Off Season Specials from Joel Becker

631 234-4062 becker.joel.e@gmail.com

1. Dirty rail-mounted stainless circular charcoal grill-- will clean if necessary \$75
2. Teak cocktail table- fits on Edson pedestal. Approx 15" x 24" Too cold to go out and measure. Good condition not much wrong with it \$150
3. Fortress FX23 anchor \$200 Used 3 times- once successfully.
4. Anchor rode - Approx. 16' of 3/8" chain (too cold outside to measure sort of rusty) and 180' of well used 5/8" 3 strand twist. No weak spots. Won't wash this- you might want to wear gloves. \$150.

Split Level Home for Sale on the Avon Canal West Islip (2 canals from the bay)

75 Feet of Creosote Bulkhead / Deep Canal / Large Deck

3 Bedrooms, 2 Full Bathrooms, Kitchen, Dining Room, Living Room, Great Room, Den

Please call Volker Kind for more information. Cell phone is the best form of contact 631-807-7017

Anchor for Sale

40 lb Danforth Anchor with 6 foot chain and 100 ft of line spliced-on

Price \$120.00

Please call Marilyn Brous at 631-264-3861

Boats for Sale—

"Dragon Fly" 1981 C&C 25 mark four. Proven racer still in active use, good sail inventory with new Main and Genoa. The hull is as solid as the day it was built and Mariner 9.9 HP motor runs like new. The boat could use some TLC , but the asking price is reasonable at \$5,000.

Contact John Davis at jdavisfly@aol.com or (631)987-4753

"Victoria III" 2008 Hunter 31' sloop, excellent condition, jib and main furling systems, Yanmar 21 HP diesel, auto pilot, A/C and heat, much more. Would consider deal to trade with someone who is moving up. \$93,000 Contact Carl Struck at struckc@sunysuffolk.edu

Anchor Locker continued on the next page

BOAT FOR SALE

Name: "ALIBI"

Owner: Niel I. Rising

Stored: Weeks Yacht Yard

Telephone: 631 665-6712

Email : nir4@outlook.com

40 foot 1956/57 Chris Craft Sea Skiff - Clinker hull

In "turn-key shape and ready to go

Twin Crusader engines (long block) - 454's - run great

Fuel efficient hull/engine performance

Automatic "engine room" CO2 extinguishing system - needs recharging

NEW BOTTOM - 2014

Original and Single owner

Clinker Hull - black / superstructure and trim - white

Always Stored INSIDE - EVERY winter

Monel fuel tanks

Stainless Water tanks

All covers and seats in good shape

Large cockpit area with Teak decks

Gin Pole

Sleeps 6 (including forward private stateroom for 2)

Full 6' 4" cabin head room

Power winch for anchors

Electronics in working order

Flying Bridge with full controls

Full galley

Head has inboard holding tanks OR waste can be discharged out board if in the right locality

Complete rope and bumper locker

Removable extended Dacron Cockpit cover

Swim ladder

Senior Citizen owner can no longer operate boat

Asking \$15K (Negotiable)

SBCC LINKS

Regatta Captain Aileen Eppig
brokher759@aol.com

Program Rich Troy
t4oyman@aol.com

Historian Tom Gotard
avopns@verizon.net

Handicap/Measurement
Scoring
Jim Reichel
info@sailchoice.com

Protest Rich LaBella
labellar@optonline.net

Ships Store Helen Pshedesky
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G.S.B.Y.R.A
Mike Duffy
<http://www.gsbyra.org/>

Masthead June Tedesco
capt1@optonline.net

Our club website is
<http://www.sbccsail.org/>

Commodore Ed Pshedesky
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Vice Commodore Dave Tedesco
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