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The Nancy Black Story: Video Explains Dangers of Overcriminalization

WASHINGTON – [Cause of Action](#) (CoA), a government oversight organization, today released “The Nancy Black Story,” a video recounting how a federal government agency, the National Oceanographic and Atmospheric Administration (NOAA), disrupted a respected marine biologist’s work and threatened her freedom and her livelihood through overcriminalization.

Watch Nancy Black’s story [here](#):



Cause of Action defended Ms. Nancy Black, a highly-esteemed marine biologist who researches the lives and behavior of killer whales. She was criminally charged with violating a Marine Mammal Protection Act (MMPA) regulation prohibiting feeding marine mammals in the wild. Every other alleged violation of this regulation has resulted in relatively modest fines or, in a recent case with far more egregious facts, forfeiture of an old boat. Here, however, the government’s original charges could have resulted in up to 27 years in prison, a \$700,000 fine and forfeiture of her research vessel. Ms. Black’s defense team was able to resolve the case through a no-jail plea agreement in which Ms. Black pled guilty to a single misdemeanor charge of “feeding” for which she received 3 years of probation, a \$12,500 fine and 300 hours of community service.

According to CoA’s Executive Director, Dan Epstein, “When the government has excessive administrative discretion that lacks accountability and transparency, overreach and abuse are inevitably rampant. Overcriminalization of federal agency regulations undermines the rule of law, eroding the principles of intent and notice that protect the average citizen’s rights and freedoms.”

Reed Rubinstein, vice president for litigation at Cause of Action, said, “Americans need to know about the risks of overcriminalization and how their government is abusing its authority. Cause of Action is committed to taking steps to educate the public and push back against rogue agencies.”

On November 5, 2014, the United States Supreme Court will hear arguments on another overcriminalization case, *Yates v. US*, in which a commercial fisherman who threw overboard “undersized” fish was convicted of violating the Sarbanes-Oxley law, a corporate document destruction law prohibiting the shredding of documents. CoA’s amicus briefs in support of the petition for certiorari and in support of Mr. Yates may be found [here](#) and [here](#).

About Cause of Action:

Cause of Action is a non-profit, nonpartisan government accountability organization that fights to protect economic opportunity when federal regulations, spending and cronyism threaten it. For more information, visit www.causeofaction.org.

To schedule an interview with Cause of Action’s Executive Director Dan Epstein, contact Mary Beth Hutchins, mary.beth.hutchins@causeofaction.org

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