



## Chief Engineer Pleads Guilty to Obstructing Coast Guard Investigation into Unlawful Oily Water Discharges

MAY 4, 2011

The former Chief Engineer of the Malta-registered *M/V CAPITOLA* pleaded guilty on Wednesday, May 4, 2010, to one count of an eight-count indictment, admitting that he directed unlawful discharges of oily wastes from the vessel's engine room, had made false entries in the oil record book, had lied to investigators about sounding records, and had tampered with valves and piping on the ship. Dimitrios Grifakis changed his plea from "not guilty" to "guilty" after the U.S. District Court for the District of Maryland addressed a number of pre-trial motions concerning regard to the admissibility of certain whistleblower evidence, and denied legal challenges to U.S. criminal jurisdiction over alleged MARPOL violations. The prosecution of Mr. Grifakis follows the guilty plea by the shipowner, Cardiff Marine, Inc. earlier this year.

Of particular interest to shipowners and their environmental compliance managers will be the proposed jury instructions submitted by the prosecutors in the case shortly before Mr. Grifakis changed his plea to "guilty." While the jury instructions had not yet been approved by the court, they illustrate the Department of Justice's view on the elements of criminal conduct related to unlawful discharges under MARPOL and related offenses.

The Department of Justice announcement of the plea is available [here](#), and copies of the original indictment and the proposed jury instructions are available via the attached PDF.

1 Min Read

---

*This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.*