

# Annual Report FY 2010

U.S. Fish & Wildlife Service  
Office of Law Enforcement



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# Program Overview

The mission of the U.S. Fish and Wildlife Service Office of Law Enforcement is to protect wildlife resources. Through the effective enforcement of Federal laws, we contribute to Service efforts to recover endangered species, conserve migratory birds, preserve wildlife habitat, safeguard fisheries, combat invasive species, and promote global wildlife conservation.

Service Law Enforcement focuses on potentially devastating threats to wildlife resources – illegal trade, unlawful commercial exploitation, habitat destruction, and environmental hazards. The Office investigates wildlife crimes; regulates wildlife trade; helps Americans understand and comply with wildlife protection laws; and teams with international, Federal, State, and Tribal counterparts to conserve wildlife resources. This work includes:

- Breaking up international and domestic smuggling rings that target imperiled species;
- Preventing the unlawful commercial exploitation of U.S. resources;
- Protecting wildlife from environmental hazards and safeguarding wildlife habitat;
- Enforcing Federal migratory game bird hunting regulations and working with States to protect other game species and preserve legitimate hunting opportunities;
- Inspecting wildlife shipments to ensure regulatory compliance and detect illegal trade;
- Working with international counterparts to combat illegal trafficking in protected species;
- Training other Federal, State, Tribal, and foreign law enforcement officers;
- Using forensic science to analyze evidence and solve wildlife crimes; and
- Conducting outreach to increase compliance with wildlife protection laws.

The Office of Law Enforcement fields a force of special agents (criminal investigators with the authority to enforce wildlife laws anywhere in the United States) and wildlife inspectors (uniformed import/export control officers stationed at ports of entry and border crossings). Most are “officers on the beat” who report through seven regional law enforcement offices.

A headquarters office provides national policy and direction for law enforcement operations; trains law enforcement personnel; fields a special investigations unit; provides intelligence support; oversees professional integrity; manages budgetary resources; and provides technical and administrative support for the organization.

The National Fish and Wildlife Forensics Laboratory conducts scientific analyses to help solve wildlife crimes. The Office also operates the National Wildlife Property Repository, which supplies confiscated wildlife items to outside groups for educational use, and the National Eagle Repository, which provides Native Americans with eagle parts for religious purposes.

The Office of Law Enforcement’s accomplishments in protecting U.S. and global resources are presented in the pages that follow. This report also documents progress in facilitating legal wildlife trade, maintaining effective partnerships with other enforcement agencies, and conducting outreach to promote compliance. In addition, it looks at managerial improvements and contributions in the areas of forensic and intelligence support.

# **Protecting America's Wildlife**

The Office of Law Enforcement investigates crimes that involve the unlawful exploitation of federally protected resources, including endangered and threatened animals and plants native to the United States, migratory birds, and marine mammals. We work in partnership with industries to reduce the effect of their activities and facilities on wildlife resources. We team with State, Tribal, and other Federal enforcement agencies to improve protections for fish, wildlife, and plants nationwide, including resources under State and Tribal stewardship. We also work to promote compliance with wildlife laws through outreach to hunters, landowners, industry, and others.

## **FY 2010 Accomplishments**

### ***Illegal Commercialization***

- Seven subjects in Nebraska were sentenced for their involvement in the killing and sale of bald eagles. Two received prison sentences of one year and five months. Most paid fines up to \$1,000 while one was ordered to pay \$8,450 in restitution.
- The first defendant prosecuted in Operation Hanging Rock, a multi-state undercover probe of eagle take and trafficking, pleaded guilty to a felony Migratory Bird Treaty Act (MBTA) was sentenced to serve 30 days in home confinement and five years probation, perform 250 hours of community service, make an educational video, and pay \$4,800 in restitution.
- Two subjects were sentenced for the illegal take and sale of a bald eagle. One pleaded guilty to being a felon in possession of a firearm, unlawfully taking a bald eagle, and selling a migratory bird and was sentenced to three years probation, 10 months incarceration with work release, and 100 hours of community service. The second defendant pleaded guilty to being a felon in possession of a firearm and was sentenced to 27 months in prison.
- Two individuals were indicted in Baton Rouge, Louisiana, for illegally hunting threatened American alligators. The indictment alleges that the two licensed alligator guides took paying clients on illegal sport alligator hunts worth nearly \$44,000.
- After a five-week trial, a Washington D.C. seafood wholesaler and two of its employees were found guilty of purchasing illegally harvested striped bass in Virginia and Maryland from 1995 through 2007. The company, its vice-president, and its fish buyer were all convicted of felony conspiracy and wildlife trafficking.
- A Federal judge sentenced the owner of a Maryland striped bass check-in station to serve 18 months in prison and pay \$200,000 in fines and restitution in connection with the gross underreporting of commercial striped bass harvests.

- A Colorado couple pleaded guilty to Federal charges related to the illegal trapping and interstate sale of bobcats. Violations included conspiracy, creating false records, and illegal gun possession.
- A Florida reptile dealer was sentenced for interstate trafficking in protected turtles from West Virginia. Penalties included one year home detention, five years of probation, and the payment of \$12,000 in restitution.
- The owner of a Missouri turtle farm was sentenced for the unlawful export of State-protected turtles to Japan. He was put on probation for five years and fined \$5,000.
- A North Carolina ginseng dealer was sentenced to serve one year in prison and ordered to pay a \$50,000 fine for illegally selling and transporting \$109,000 worth of wild American ginseng into Georgia.
- An international ginseng buyer from China was sentenced to serve eight months confinement, perform 50 hours of community service, and forfeit 430 pounds of wild American ginseng with a minimum fair market value of \$172,000, for exporting ginseng to Asian markets without acquiring a dealer's license or State export certificates.
- Two Tucson men were sentenced for the theft of State-protected saguaro cacti from Saguaro National Park; one received an 8-month prison sentence.
- A South Carolina man was ordered to pay \$235,000 to the State for his role in bringing potentially diseased deer from Ohio to his South Carolina hunting preserve.
- An Ohio man was sentenced for his role in this same investigation. He must serve 21 months in prison, six months of home confinement, and three years of probation and pay \$35,200 in restitution to the South Carolina Department of Natural Resources.
- Four Wisconsin wholesale bait companies pleaded guilty to felony Lacey Act charges for transporting baitfish into the State without permits and without meeting testing requirements. The companies paid fines totaling \$19,800 and were each put on probation for two years.
- An Illinois man pleaded guilty to a felony Archeological Resource Protection Act (ARPA) count resulting from a joint investigation in which special agents and Service refuge officers recovered over 13,000 artifacts that had been removed from the Cypress Creek National Wildlife Refuge. The defendant was sentenced to 30 days imprisonment, 500 hours community service, five years probation, and ordered to pay \$150,326 for damage done to the refuge.
- An ARPA investigation of the theft and sale of hundreds of Native American artifacts ended in multiple prosecutions. A Wisconsin resident was fined \$10,000 and forfeited over 300 artifacts. A South Dakota subject was fined \$20,000, sentenced to six months of home confinement and three years on probation, and forfeited 12,823 artifacts. Two other South Dakota residents were also sentenced in the case.

- An outfitter was sent to prison for 37 months for Lacey Act violations, including the illegal take of 466 pheasants, 23 mule deer and a variety of other game species. The case resulted in 18 prosecutions, 50 months of incarceration, and \$27,689 in fines and restitution.
- An Iowa man pleaded guilty to one felony mail fraud count, one felony Lacey Act count, and four counts of failing to pay income tax in connection with an investigation of his commercial guide and outfitter business. The man sold guided deer hunts to non-residents and instructed them to ignore Iowa hunting regulations.
- The largest wildlife crime investigation ever in the State of Kansas resulted in a 23-count Federal indictment against two brothers in connection with unlawful guiding and outfitting activities that resulted in the massive illegal take of deer in Kansas.

### ***Illegal Take and Habitat Destruction***

- Service special agents from Louisiana, Alabama, Mississippi, Florida, and Texas joined other Federal officers to conduct a criminal investigation of the companies responsible for the Deepwater Horizon oil spill in the Gulf of Mexico.
- The County of Kauai, Hawaii, pleaded guilty to Federal wildlife charges in connection with the deaths of threatened Newell's shearwaters. Under the plea agreement, the county must take specific measures to protect these and other seabirds from lighting hazards and pay a \$15,000 fine and \$210,000 in restitution.
- Two Kentucky residents were sentenced for slaughtering 105 endangered Indiana bats at Carter Caves State Park in violation of the Endangered Species Act (ESA). One defendant was sentenced to serve eight months in Federal prison; the other was put on probation.
- A Kentucky oil and gas company pleaded guilty to violating the Clean Water Act and the ESA for the unlawful take of threatened blackside dace. The corporation was fined \$50,000.
- The principal subject involved in the capture, re-capture, and death of the last known jaguar in the wild in the United States pleaded guilty to an ESA violation in Arizona. The subject was fined \$1,000 and was placed on Federal probation for five years. Another defendant also pleaded guilty in this case.
- A Montana resident was sentenced for possession of a gray wolf (which he unlawfully shot and killed) and was ordered to pay a \$3,000 fine and spend two years on probation during which he cannot hunt or trap anywhere in the United States.
- A Federal grand jury indicted a Rota customs officer and two Rota residents for poaching a breeding colony of threatened Mariana fruit bats in 2008.
- The Academy of Veterinary Homeopathy signed a settlement agreement concerning its habitat-linked take of the endangered Delhi sands flower-loving fly in California. The group

paid for two conservation credits and transferred two additional acres of land (valued at \$203,800) to the Riverside Land Conservancy along with \$200,000 for its maintenance.

- A California landowner investigated for the unlawful destruction of habitat occupied by protected California tiger salamanders and vernal pool tadpole shrimp agreed to buy 12 conservation credits and grant a perpetual conservation easement on 421 acres.
- A school district in Oakland, California, was ordered to purchase 126 conservation credits totaling \$441,000 in compensation for its destruction of 25 elderberry shrubs, which “host” the threatened Valley elderberry longhorn beetle.
- Two ESA settlement agreements were signed in California by entities involved in the take of endangered blunt-nosed lizards, San Joaquin kit foxes, and Tipton kangaroo rats through unauthorized habitat modification. One entity agreed to permanently preserve 40 acres of habitat; the other must purchase 126 credits from a Service-approved conservation bank.
- A New Jersey man was indicted by a Federal grand jury for violating the ESA by taking the federally protected bog turtle and for making false statements.
- A business paid \$25,000 to the Service in a civil settlement related to the 2005 take of an eagle’s nest in Charlotte County, Florida.
- A Wyoming rancher paid a civil penalty of \$5,000 for cutting down a tree containing a golden eagle nest, which had been used by the eagles since the 1960s.
- A Montana resident who pleaded guilty to shooting a bald eagle was ordered to pay a \$5,000 fine and was placed on one year probation while barred from hunting fishing, and trapping.
- A North Dakota man was sentenced to 100 months in prison for being a felon in possession of a firearm and 12 months (to run concurrently) for shooting a bald eagle.
- An Ohio man who pleaded guilty to two MBTA counts and two counts of misusing a pesticide was sentenced to one year of probation and pay a \$24,250 fine.
- Two Kentucky farmers paid a total of \$12,000 in fines for placing bait laced with pesticide on their properties, resulting in the take of at least two bald eagles, seven hawks, and an owl.
- A marine construction and dredging company that transported four barges with zebra mussels attached from Clear Lake, Iowa, to Little Rock, Arkansas, was fined \$3,000 for violating the injurious species provisions of the Lacey Act.

### ***Industrial Hazards***

- An oil and gas company, which pleaded guilty to MBTA charges in Wyoming and Colorado in connection with the deaths of migratory birds at its facilities in those States, was fined \$30,000 and ordered to pay \$170,000 in “community service payments.”

- A Wyoming oil company spent over \$315,364 in MBTA compliance measures at over 3,393 well sites in the western part of the State. Another Wyoming company spent approximately \$2.9 million on similar efforts in two oil fields.
- Per an agreement with the U.S. Attorney's Office in Utah, a gas producer established a compliance plan for the covering of production reserve pits and paid a \$44,000 penalty for MBTA violations.
- A Montana oil company was sentenced for killing 18 migratory birds in 2008 at an oil pit on the Blackfeet Indian Reservation. Under a plea agreement, the company was ordered to pay a \$15,000 fine and a \$5,000 community service payment.
- An oil company in Texas investigated for MBTA violations paid a \$15,025 fine and spent over \$20,000 in site remediation efforts.
- Another Texas oil company agreed to accept a \$30,000 violation notice for violations of the MBTA.
- A Wyoming oil company was issued a violation notice in the amount of \$29,000 for the take of 116 migratory grey crowned rosy finches.
- A large rural electric cooperative in Wyoming pledged to update its Avian Protection Plan and budgeted approximately \$1.1 million for proactive retrofitting and another \$1 million for two large bird protection projects to reduce take of golden eagles.
- In response to an investigation of two bald eagle electrocutions, a company spent \$42,132 retrofitting existing power lines near Willis, Texas.



# **Combating Global Wildlife Trafficking**

The United States is one of the world's largest markets for wildlife and wildlife products. Illegal trafficking remains a significant threat to species around the world.

The Office of Law Enforcement upholds U.S. responsibilities to police wildlife trade and shut down U.S. markets for species that are off limits under the Convention on International Trade in Endangered Species (CITES) and U.S. laws and regulations. The Office also helps protect U.S. wildlife resources and wildlife habitat by preventing the importation and interstate transport of injurious species.

Both Service special agents and wildlife inspectors contribute to global protections for wildlife by helping other nations around the world improve their wildlife law enforcement infrastructure. Accomplishments involving global liaison and international training programs are presented in the "Building Enforcement Partnerships" section of this report.

## **FY 2010 Accomplishments**

### ***Interceptions of Illegal Wildlife Trade***

- A Service wildlife inspector in Houston seized 16 ivory items imported from Portugal that were falsely declared as antiques.
- An importer in Houston forfeited \$8,025 and abandoned an unlawful shipment from Peru that contained large natural specimens of black coral, black coral carvings and jewelry, vicuna wool garments from unapproved sources, sea turtle jewelry, 42 elephant ivory carvings, parrot feather jewelry, native Peruvian headdresses, and other wildlife items.
- The Houston seaport inspector seized and secured the forfeiture of a massive stony coral statue (manifested as cement) weighing just over 1,200 pounds that was unlawfully imported from Vietnam. This large stony coral mass was crushed and donated to the Baytown Nature Center for use in soil erosion control and oyster bed restoration.
- A Service wildlife inspector in Los Angeles caught a U.S. couple returning from Peru who tried to smuggle two live CITES Appendix II snakes, two mata turtles, three live freshwater crabs, a large number of dead insects, macaw feathers, and 88 freshwater fish.
- An importer in Anchorage who lost nine shipments of coral and shell products to forfeiture paid a civil penalty in the amount of \$15,000 for noncompliant wildlife trade.
- Service wildlife inspectors intercepted a package of bear bile and medicine balls made from CITES Appendix II saiga antelope at the International Mail Facility in San Francisco that originated in Korea and was destined for a medicinal shop in Chicago.

- Inspectors in Tampa seized a container-load of improperly identified coral imported from the Solomon Islands without a valid CITES permit.
- Inspection of two live coral shipments from Indonesia to Miami resulted in the seizure of over 130 live CITES specimens worth \$8,000.
- Service wildlife inspectors in Miami intercepted two commercial shipments of falsely declared or smuggled live CITES Appendix II Tanzanian chameleons.
- An importer in Miami abandoned an \$18,000 shipment of live snakes and other reptiles from South Africa after inspectors discovered multiple violations, including invalid CITES permits and inhumane transport under CITES.
- Inspectors in Miami seized two Guatemalan shipments of live reptiles, amphibians, and arachnids imported in violation of that country's laws and the Lacey Act. These seizures involved some 2,200 live specimens.
- A joint Service/State inspection operation in New York uncovered an illegal shipment of 352 injurious snakehead fish arriving at John F. Kennedy International Airport on a night flight. An additional 82 snakeheads were seized from the importer's business in Brooklyn.
- A New York Service wildlife inspector detained two parcels at an international mail facility imported from Indonesia that contained taxidermy mounts and raw skins including a CITES Appendix I slow lori, a CITES Appendix II hawk eagle, a CITES Appendix II lesser bird of paradise, and other mammal and bird species protected by Indonesian law. No permits accompanied the shipments.
- Newark Service wildlife inspectors seized two undeclared shipments of Russian medicinals containing over 5,000 bottles and jars of various lotions and pills made of bear, badger, marmot, and leeches that arrived without CITES permits.
- A commercial importer in Washington State forfeited \$775 after being caught unlawfully importing hundreds of undeclared sea sponges at Port Huron, Michigan.
- A South Carolina resident pleaded guilty and forfeited \$500 in collateral for CITES violations in connection with the smuggling of 570 pills containing saiga antelope. The subject, who owns an acupuncture center that sells medicinals, was caught at Detroit Metro Airport after returning from a trip to China.

### ***Investigative Efforts***

- Two Taiwanese nationals were sentenced to prison in the U.S. Virgin Islands for conspiracy to ship internationally protected black coral into the United States. They will serve a total of 50 months in prison and pay a total of \$25,000 in fines. Both defendants had pleaded guilty to nine counts including conspiracy, false statements, and wildlife violations.

- A German national was sentenced to serve three years of probation and pay over \$35,000 for smuggling coral into Portland, Oregon.
- A South Dakota big game hunter, who was found guilty of smuggling the hide of a leopard he shot in Africa into the United States, was sentenced to three years supervised release, six months with ankle bracelet/home confinement, and a \$20,000 fine. This individual also lost his hunting privileges for three years.
- A Russian immigrant living in Minnesota and his import/export business were sentenced for their role in aiding and abetting the smuggling of caviar from the former Soviet Union. The company was put on probation for two years and ordered to pay a \$25,000 fine. The owner of the company received a six-month term of probation and a \$5,000 fine.
- A North Carolina fish importer was sentenced to 180 days of home confinement, five years on supervised probation, and was ordered to pay a \$25,000 fine for smuggling endangered Asian arowanas.
- A San Francisco resident was sentenced to one year in prison and three years of supervised release and was ordered to pay a \$3,000 fine for making false statements and smuggling 26 Asian arowanas into the United States from China.
- A California man was sentenced to six months of home confinement with electronic monitoring, two years probation, and was ordered to pay a \$7,500 fine and complete 200 hours of community service for smuggling six live Asian arowanas into the United States from Indonesia.
- A defendant pleaded guilty to smuggling 16 live endangered Asian arowanas into the United States.
- A Mexican outfitter was fined \$10,000 and forfeited two white-tailed deer trophies after being convicted of a false labeling felony charge under the Lacey Act.
- A Canadian national was sentenced to approximately two months' time served, three years supervised release, and a \$10,000 fine for felony smuggling of African and Canadian wildlife mounts into the United States.

# **Facilitating Legal Wildlife Trade**

The Office of Law Enforcement's mandate to enforce wildlife trade laws encompasses a concomitant responsibility to deal fairly and efficiently with the businesses, organizations, and individuals that import and export wildlife. By law, virtually all wildlife imports and exports must be declared to the Service and cleared by Service wildlife inspectors.

The speed and efficiency of wildlife inspection operations affect the ability of businesses to engage profitably in legal wildlife trade as well as the international movement of wildlife for purposes that range from scientific research to public entertainment. The Service's trade monitoring efforts also determine the ease with which individual Americans can travel internationally with wildlife or wildlife items, move hunting trophies across U.S. borders, or ship household goods made from wildlife overseas and back again.

Service officers provide guidance to individuals and businesses to help them obey wildlife laws and expedite their legal import/export transactions. "Customer service" efforts focus on using technology to facilitate trade, streamline the import/export community's interactions with the Service, and improve public access to information about wildlife trade laws and regulations.

## **FY 2010 Accomplishments**

- In FY 2010, Service wildlife inspectors processed more than 178,000 wildlife shipments with a declared value of more than \$2.4 billion.
- Use of "e-Decs" (the Service's electronic system for speeding the declaration of wildlife imports and exports) increased, with more than 83 percent of all declarations being submitted electronically.
- The Service inspected wildlife shipments at 18 designated port locations. (The designated port system funnels wildlife traffic through a limited number of locations to facilitate trade monitoring and maintain the efficiency of inspection operations.)
- The Service staffed 18 other ports of entry, including locations along the Nation's northern and southern borders that handle North American wildlife trade moving by land.
- The designated port of New York, which received 28,878 shipments, remained the Nation's busiest port of entry for wildlife trade.
- Los Angeles was the second busiest port of entry for wildlife, handling 23,717 shipments, while third-ranked Louisville processed 12,969 shipments.

- Efforts continued to ensure full Service participation in the International Trade Data System (ITDS) – an interagency “e-Government” initiative that will link all importers/exporters and all Federal agencies involved in regulating international trade.
- Service officers attended and provided information on Service-related laws and regulations at trade meetings in Florida, California, New Jersey, and other States.
- Service wildlife inspectors presented training on Service requirements to dealers, officials, and citizens in Arizona, Florida, Georgia, and other States.
- Service wildlife inspector worked with Pasua-Yacqui tribal members to facilitate the importation and exportation of wildlife items used for religious purposes.
- A Service wildlife inspector met with a representative from the Inuit Circumpolar Conference to facilitate travel with wildlife parts by 104 Inuit delegates from Alaska who attended this event in Greenland.
- Service wildlife inspectors on the northern border prepared and distributed guidelines for big game hunters traveling to and from Canada.
- A Service wildlife inspector discussed relevant wildlife laws and regulations as a member of a discussion panel on cultural property law attended by approximately 100 tribal art dealers and collectors.
- Two giant pandas being sent to China from the National Zoo and Zoo Atlanta were cleared by a Service wildlife inspector at Dulles International Airport.
- Office of Law Enforcement representatives in Memphis coordinated with FedEx to allow Sunday sort and export clearance for new cargo flights from China.

# **Managing for Excellence**

The Office of Law Enforcement's success in protecting wildlife depends on the quality of its staff and how well it uses both its human and financial resources. Effective management requires ongoing strategic planning and performance monitoring as well as a sustained commitment to building and maintaining a highly skilled, appropriately deployed workforce.

The Office of Law Enforcement leverages technology to better support investigative and inspection efforts and program management. Such efforts include ongoing improvements to the Law Enforcement Management Information System (LEMIS) as well as work to integrate the program's IT infrastructure with new Departmental and interagency systems.

Service Law Enforcement also works to improve professional accountability. A Professional Responsibility Unit responds to public concerns and identifies and resolves systemic issues involving the conduct and integrity of law enforcement operations.

## **FY 2010 Accomplishments**

### ***Strategic Planning and Performance Monitoring***

- The program managed enforcement activities to address its strategic goals and investigative priorities.
- A team of managers reviewed and updated the Office of Law Enforcement's strategic plan for FY 2011- FY 2015 to take into account such factors as climate change, strategic habitat conservation, and the Service's creation of Landscape Conservation Cooperatives.

### ***Workforce Management***

- National in-service training programs for agents and inspectors were held at the National Conservation Training Center.
- New "classes" of special agents and wildlife inspectors completed basic training at the Federal Law Enforcement Training Center in Georgia.
- Special Agent Basic School concluded with a multi-day "case-based" training exercise that included assistance from the Digital Evidence Recovery and Technical Support Unit in wiring rooms for audio and video feed and conducting rural nighttime surveillance.

### ***Leveraging Technology***

- The program's Data Systems team reworked virtually 100 percent of the Office of Law Enforcement's production and training systems to complete an agency-required transition to new hardware and software.

- An electronic Report of Investigation module was added to LEMIS to eliminate the use of hardcopy documents during the review and approval process.
- Staff completed a new administrative management system to improve budget tracking.
- Enhancements to the declarations and e-Decs subsystems within LEMIS included expanding document imaging capabilities; adapting the eScan module to handle uploads from brokers with their own imaging capability; and streamlining the corporate payment process for both companies and inspectors.

### ***Professional Responsibility***

- The Professional Responsibility Unit addressed allegations of possible misconduct by Service law enforcement officers and employees in both the Office of Law Enforcement and the National Wildlife Refuge System.

### ***Other Accomplishments***

- The Headquarters Branch of Investigations (INV) remained actively engaged in interagency efforts to address issues related to implementation and enforcement of the 2008 Lacey Act plant amendments.
- INV served as a technical expert on legal and enforcement issues for a Federal advisory committee on windpower and contributed to the development of committee recommendations for wind industry guidelines.
- INV staff worked closely with Service biologists on issues involving new listings of injurious wildlife and potential revision of the injurious species provisions of the Lacey Act.
- INV issued new or updated Chief's Directives to provide policy guidance to officers in the field on matters that ranged from the use of soft body armor to buying hunting and fishing licenses for "undercover" hunts.

# **Building Enforcement Partnerships**

Strong and effective partnerships with other law enforcement agencies are essential to the success of wildlife law enforcement. Service officers work closely with other Federal, State, and tribal officers to safeguard the Nation's wildlife resources. These efforts include joint investigations, compliance inspections and task force operations, and cross-training programs.

Cooperation is also vital to Service efforts to promote global wildlife conservation. Service Law Enforcement maintains liaison with the CITES Secretariat and wildlife law enforcement counterparts around the world. Service special agents and wildlife inspectors are often the instructors of choice when other nations seek to improve their wildlife enforcement capabilities.

## **FY 2010 Accomplishments**

### ***Federal Partnerships***

- Service officers participated as instructors for training programs for enforcement staff with other Federal agencies. Examples include training Transportation Security Administration inspectors how to deal with luggage containing fish or wildlife; providing Lacey Act training to the U.S. Forest Service; and presenting a Wildlife Poisoning Investigation Program at a regional in-service for Environmental Protection Agency criminal investigators.
- Wildlife inspectors throughout the country provided wildlife import/export training to Customs and Border Protection staff. Inspection offices conducting such training included those located in Detroit, Dunseith, El Paso, Los Angeles, Miami, Minneapolis-St. Paul, Nogales, San Diego, and San Francisco.

### ***State Partnerships***

- Service agents worked with State partners on issues that ranged from tightening regulations on native reptile sales to sharing intelligence regarding interstate big game poaching by organized groups.
- Cooperative migratory game bird hunting enforcement work included joint Federal/State enforcement operations in Delaware, Kansas, Maine, New Jersey, Oregon, Rhode Island, Texas, Utah, Washington, and other States.
- Service special agents conducted training on Federal wildlife laws for State conservation officers in Arizona, California, Colorado, Delaware, Iowa, Kentucky, Maine, North Carolina, Oklahoma, Texas, Washington, and other States.
- A Service agent provided training in advanced techniques of wildlife crime scene investigation to over 50 conservation law enforcement officers from nine States.



### ***Tribal Partnerships***

- Service special agents attended the first Department of Justice-sponsored “Tribal Listening” conference, joining other Federal agency representatives to address law enforcement concerns identified by participating tribes.
- A Service agent gave a presentation at the Native American Fish and Wildlife Society conference in Arizona. Attendees included officers from various tribal conservation agencies in the West.
- A Service agent met with legislative members and legal advisors with the Crow Tribe to discuss recent investigations involving violations of Crow Tribal wildlife laws and identify possible improvements in the current tribal code.
- Service agents and a forensic ornithologist from the National Fish and Wildlife Forensics Laboratory provided training to 35 Native American conservation officers. The two-day program focused on Federal wildlife laws, cooperative enforcement efforts, and the identification of eagle feathers.
- A Service agent conducted law enforcement training for natural resource officers at the Native American Fish and Wildlife Society’s southeastern regional meeting.

### ***International Partnerships***

- A Service special agent was stationed in Bangkok as a liaison officer to the Association of Southeast Asian Nations Wildlife Enforcement Network (ASEAN/WEN). This officer was involved in training development, investigative consultation and assistance, intelligence liaison, and the presentation of both on-the-job and formal training programs.
- The Service conducted a two-week criminal investigation training program for wildlife enforcement officers from Sub-Saharan Africa at the International Law Enforcement Academy in Gaborone, Botswana, as part of that facility’s core curriculum.
- A Service agent presented a wildlife enforcement overview and a case study at a Peru-Forest Sector Initiative training program sponsored by the U.S. Forest Service. The workshop was held in Iquitos, Peru. The agent teamed with a Justice Department trial attorney to discuss the investigation and prosecution of environmental crimes. Attendees included the top Peruvian public prosecutor and the General of Peru’s National Police as well as approximately 50 Peruvian National Police officers.
- A Service agent traveled to Moscow and Vladivostok, Russia, to represent the Service on an official delegation to discuss drafting and enforcement of a Russian law similar to the Lacey Act. Those in attendance included members of the Government of Russia (including prosecutors and legislative officials) and representatives from non-profit conservation groups.

# **Promoting Compliance**

The Office of Law Enforcement works to help Americans understand and obey laws that protect wildlife and wildlife habitat. Outreach efforts that promote compliance focus on such groups as industries whose activities affect wildlife; landowners and developers; guides, outfitters, and hunters; importers and exporters dealing in wildlife and wildlife products; and travelers who buy wildlife products overseas.

Service Law Enforcement works closely with groups whose activities are affected by wildlife laws to secure compliance. The Office often teams with other enforcement agencies and non-governmental partners to produce and distribute educational materials and conduct outreach campaigns. Compliance-focused outreach supports Service efforts to protect U.S. wildlife resources, stem global wildlife trafficking, and facilitate legal wildlife trade.

## **FY 2010 Accomplishments**

### ***Endangered and Threatened Species Outreach***

- Agents worked with a Wichita, Kansas, dredging company to help them modify operations and avoid disturbing least terns that were nesting on a spoil area.
- Law enforcement contacts convinced the Texas Department of Transportation to include wildlife crossing corridors in a roadway project where an ocelot had been killed.
- Agents conducted outreach in Alaska at the Migratory Bird Fair to raise awareness about the continued protection of threatened Steller's eiders.
- Manatee patrol officers conducted outreach and enforcement operations in conjunction with the annual Jacksonville Poker Run, a weekend-long speedboat event in Florida.
- Agents trained Massachusetts Audubon Society piping plover monitors to deal with public and private land owners and handle possible confrontational situations.
- A Service wildlife inspector attended a meeting of the Maryland Orchid Society as a guest speaker, giving a presentation on the CITES treaty and trade of protected species to orchid growers and hobbyists.

### ***Migratory Bird Issues***

- An agent presented a session on wildlife laws during an avian protection workshop organized by the Northwest Public Power Administration in Washington State.
- Office of Law Enforcement staff also participated in an avian protection plan workshop in South Dakota sponsored by Avian Power Line Interaction Committee.

- Training on the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act was provided for employees of a gas and oil corporation in the Rocky Mountain States; attendees represented facilities in North Dakota, Utah, and Wyoming.
- Agents provided training on wildlife stewardship for staff at several coal power generation plants in Utah.
- Enforcement officers met with the environmental liaison for a power company in Colorado, which agreed to use the Service's Bird Fatality/Injury Reporting System.
- Other efforts to protect migratory birds included discussions with company officials in Wyoming regarding raptor collisions with wind turbines and possible mitigation measures; working with the Nebraska Rural Electric Association to craft avian protection plans for utility companies in the State; meeting with White Sands Missile Range personnel to discuss issues regarding migratory bird electrocutions; and initiating contact with the McDonald's Corporation concerning birds being killed due to light attraction.

### ***Public Outreach***

- Service Law Enforcement sponsored outreach booths at the Kentucky and Florida State Fairs; the Hawaii Conservation Conference; the Fayette County Earth Day Festival in Georgia; and the Red River Valley Sports Show in North Dakota.
- Office of Law enforcement staff coordinated the planning, set-up, and staffing of the Law Enforcement section of the "Conservation Trail" at the 2010 Boy Scout National Jamboree in Virginia. Over 40,000 people visited the Conservation Trail over 10 days. The Law Enforcement section displayed representative seized wildlife and was manned by Service officers from around the country.
- Service agents and wildlife inspectors provided presentations on wildlife law enforcement at the South Texas College of Law; the Oklahoma City University School of Law; the University of California at Los Angeles (UCLA) School of Law; Simpson College in Iowa; and the University of Washington School of Law.

# Supporting Officers in the Field

## Forensics

The National Fish and Wildlife Forensics Laboratory, located in Ashland, Oregon, is the world's only full-service crime laboratory devoted exclusively to supporting wildlife law enforcement. Scientists at the Laboratory identify the species of wildlife parts and products seized as evidence. They link suspect, "victim," and crime scene through the examination and comparison of physical evidence; determine the cause of death of wildlife crime victims; and help analyze crime scenes and recover evidence from seized computers.

Laboratory scientists also conduct research to develop new analytical techniques needed in wildlife forensics. They provide training to wildlife law enforcement officers and work with such organizations as the American Society of Crime Laboratory Directors. The Service Laboratory holds accreditation from that group – a professional status attained by only half the crime laboratories in the United States.

### **FY 2010 Accomplishments**

- Laboratory scientists worked on hundreds of cases involving the analysis of thousands of pieces of evidence collected during investigations of wildlife crime.
- Forensic analyses were provided primarily in support of Federal investigations with some assistance provided to State cases and international investigations.
- The Laboratory's Morphology Team conducted thousands of species identifications based on photographs submitted by email (primarily from Service wildlife inspectors at the Nation's ports of entry). This service helped facilitate release of legal shipments and provide probable cause for the detention and seizure of some specimens.
- Laboratory scientists published articles in such journals as *Forensic Science, Medicine and Pathology, Forensic Science International*, and the *AFTE Journal*. The research reported included morphological methods for distinguishing the tail hairs of African elephants, Asian elephants, and giraffes; unusual Shreger-like pattern in a hippo ivory item; the process used by some reloaders to manufacture home made bullets; the shortcomings of existing non-destructive field tests to determine the elemental composition of lead free shot; and the effects of burning on ivory and the resulting implications for identifying ivory artifacts from archaeological sites and the modern wildlife trade.
- The Forensics Laboratory hosted the inaugural meeting of the Society for Wildlife Forensic Science in Ashland, Oregon, April 18-23, 2010. Participants came from the United States and nine other countries for workshops and presentations.

# Intelligence

The Office of Law Enforcement's Intelligence Unit collects and analyzes information on all aspects of wildlife trafficking to support Service investigations, inspections, and smuggling interdiction efforts. The Unit also coordinates intelligence sharing with other law enforcement agencies in the United States and other countries. It establishes and maintains a broad network of domestic and international contacts with conservation groups, trade associations, and other entities involved in, or concerned with, wildlife trade.

Intelligence support is vital to Service efforts to identify and disrupt wildlife trafficking networks. Access to comprehensive, well-analyzed intelligence data also helps law enforcement managers identify threats to species and plan and prioritize investigative efforts and smuggling interdiction operations at ports of entry.

## **FY 2010 Accomplishments**

- Multiple Service investigations were substantially supported by a variety of Unit services, including background, criminal history and financial checks; border crossing, airline and license checks; wildlife valuations; document analysis; trade research; toll record analysis; link chart creation; prior case research; and website mirroring.
- Progress continued in building cooperative relationships with other national and international agencies to support the development of wildlife trade intelligence information.
- During the reporting period, the Unit shared intelligence information with enforcement authorities in countries around the world and with Interpol and other international networks.
- A Service intelligence analyst provided a presentation and represented the Office of Law Enforcement at a CITES workshop on internet wildlife trade, which was held in Vancouver, Canada.
- Service intelligence analysts responded to requests for specific shipment information and import/export trend analysis using International Trade Data System (ITDS) and other agency import/export data. Along with regular port reports, analysts supported efforts to target the traditional medicine trade, identify noncompliant businesses at various ports, and locate shipments from suspected violators.
- The Intelligence Unit compiled information on seizures and inspections and provided potential targeting lists to the ports in support of Interpol's Operation RAMP, a global effort to target the illegal trade in reptiles and amphibians.

# Appendix A. Statistical Summary

## Law Enforcement Program Facts and Figures

FY 2010 enacted budget	\$65.8 million
FY 2010 end-of-year special agent force	202
FY 2010 end-of-year wildlife inspector force	124
FY 2010 investigative case load *	13,825
<i>* This number reflects the work of both special agents and wildlife inspectors.</i>	
FY 2010 wildlife imports/exports	178,341
FY 2010 value of U.S. wildlife trade	\$2.4 billion
Number of designated ports	17 *
Number of other staffed ports	18

## FY 2010 staffed port locations \*

### Designated Ports

Anchorage, Alaska  
 Atlanta, Georgia  
 Baltimore, Maryland  
 Boston, Massachusetts  
 Chicago, Illinois  
 Dallas-Fort Worth, Texas  
 Honolulu, Hawaii  
 Houston, Texas  
 Los Angeles, California  
 Louisville, Kentucky  
 Memphis, Tennessee  
 Miami, Florida  
 New Orleans, Louisiana  
 New York, New York \*  
 Newark, New Jersey\*  
 Portland, Oregon  
 San Francisco, California  
 Seattle, Washington

### Border, Special & Other Ports

Agana, Guam  
 Blaine, Washington  
 Brownsville, Texas  
 Buffalo, New York  
 Champlain, New York  
 Denver, Colorado  
 Detroit, Michigan  
 Dulles, Virginia  
 Dunseith, North Dakota  
 El Paso, Texas  
 Laredo, Texas  
 Minneapolis, Minnesota  
 Nogales, Arizona  
 Pembina, North Dakota  
 San Diego, California  
 San Juan, Puerto Rico  
 Sweetgrass, Montana  
 Tampa, Florida

*\* New York and Newark operate together as one "designated" port with two locations.*

## FY 2010 Investigative Caseload

Statute	Cases
African Elephant	48
Airborne Hunting	5
Archeological Resources	10
Conspiracy	55
Eagle Protection	270
Endangered Species	8448
False Statements	34
FIFRA	23
Hunting on Indian Lands	7
Lacey	2431
Marine Mammal	231
Migratory Bird Stamp	209
Migratory Bird Treaty	1476
National Wildlife Refuge	34
Obstruction of Justice	11
Other Federal Laws	127
Permit/License	14
Rhino Tiger Labeling	68
Smuggling	87
State Laws	185
Wild Bird Conservation	52

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**TOTAL:** **13,825**

*\* This table reflects investigative cases worked by Service special agents and wildlife inspectors during FY 2010*

## Annual Penalty Statistics, FY 2008 – FY 2010 \*

	2008	2009	2010
<b>Fines</b>	\$4,457,221	\$8,469,209	\$4,135,089
<b>Prison (Years)</b>	85	54	78
<b>Probation (Years)</b>	551	607	330
<b>Civil Penalties</b>	\$1,635,931	\$839,969	\$700,924

*\* This table summarizes the results of criminal and civil prosecutions undertaken based on the enforcement efforts of Service special agents and wildlife inspectors.*

## FY 2009 – FY 2010 Wildlife Inspection Activity

Port of Entry	FY 2009 Shipments	FY 2010 Shipments
<b>Designated Ports</b>		
Anchorage, AK	13,258	9,973
Atlanta, GA	3,552	3,465
Baltimore, MD	2,648	2,732
Boston, MA	3,479	3,650
Chicago, IL	5,522	5,842
Dallas/Fort Worth, TX	9,595	9,036
Honolulu, HI	4,512	4,667
Houston, TX	2,269	1,902
Los Angeles, CA	22,259	23,717
Louisville, KY	10,766	12,969
Memphis, TN	6,518	9,487
Miami, FL	10,184	10,102
New Orleans, LA	844	821
Newark, NJ	9,168	10,946
New York, NY	28,282	28,878
Portland, OR	969	863
San Francisco, CA	3,792	3,623
Seattle, WA	5,926	6,288
<b>Subtotal</b>	<b>143,543</b>	<b>148,961</b>
<b>Non-Designated Ports</b>		
Agana, GU	1,076	1,217
Blaine, WA	1,563	1,482
Brownsville, TX	342	322
Buffalo, NY	1,450	1,385
Champlain, NY	2,138	2,136
Detroit, MI	911	1,011
Denver, CO	857	868
Dulles, VA	345	548
Dunseith, ND	1,217	781
El Paso, TX	709	818
Laredo, TX	587	603
McAllen, TX	60	Not Staffed
Minneapolis, Minnesota	438	257
Nogales, AZ	365	404
Pembina, ND	5,004	2,915
San Diego, CA	1,238	1,065
San Juan, PR	87	103
Sweetgrass, MT	2,341	2,493
Tampa, FL	514	567
<b>Subtotal</b>	<b>21,242</b>	<b>18,975</b>
<b>Non-Staffed Ports</b>	<b>12,013</b>	<b>10,405</b>
<b>Total</b>	<b>176,798</b>	<b>178,341</b>



## **Appendix B. Laws Enforced**

The Office of Law Enforcement upholds the Nation's wildlife protection laws. Brief summaries of these statutes appear below.

***Bald and Golden Eagle Protection Act*** (16 U.S.C. 668-668C). This Act makes it illegal to import, export, or take bald or golden eagles, or to sell, purchase, or barter their parts or products made from them, including nests or eggs.

***Migratory Bird Treaty Act*** (16 U.S.C. 703-712). Except as allowed by implementing regulations, this Act makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory bird, including feathers or other parts, nests, eggs, or migratory bird products.

***Migratory Bird Hunting and Conservation Stamp Act*** (16 U.S.C. 718). Commonly referred to as the "Duck Stamp Act," this law requires waterfowl hunters 16 years of age or older to purchase and possess a valid Federal waterfowl hunting stamp before they take migratory waterfowl.

***Lacey Act*** (18 U.S.C. 42; 16 U.S.C. 3371-3378). This Act authorizes the Secretary of the Interior to designate injurious wildlife and ensure the humane treatment of wildlife shipped to the United States. It prohibits the importation, exportation, transportation, sale, or purchase of fish, wildlife, or plants taken or possessed in violation of State, Federal, tribal, and foreign laws. The 1981 amendments strengthened the enforcement of Federal wildlife laws and improved Federal assistance to the States and foreign governments in the enforcement of their wildlife laws. The Act also provides an important tool in the effort to deter smuggling and illegal trade.

***Marine Mammal Protection Act*** (16 U.S.C. 1361-1407). This Act establishes a moratorium on the take and importation of marine mammals, including parts and products, and defines Federal responsibilities for the conservation of marine mammals. It assigns management authority for the sea otter, walrus, polar bear, dugong, and manatee to the Department of the Interior.

***Airborne Hunting Act*** (16 U.S.C. 742j-1). Section 13 of the Fish and Wildlife Act of 1956 is commonly referred to as the Airborne Hunting Act. It prohibits taking or harassing wildlife from aircraft, except when protecting wildlife, livestock, and human health or safety as authorized by a Federal or State license or permit.

***National Wildlife Refuge System Administration Act*** (16 U.S.C. 668dd-668ee). This 1966 Act constitutes an "Organic Act" for the National Wildlife Refuge System. It provides guidelines for administration and management of all areas in the system including "wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas."

***Endangered Species Act*** (16 U.S.C. 1531-1543). This Act prohibits the importation, exportation, taking, and commercialization in interstate or foreign commerce of fish, wildlife,

and plants that are listed as threatened or endangered species. The Act also implements the provisions of the Convention on International Trade in Endangered Species (CITES).

***Antarctic Conservation Act*** (16 U.S.C. 2401). This Act provides for the conservation and protection of the fauna and flora of Antarctica. The Act makes it unlawful for any U.S. citizen to take any native bird or mammal in Antarctica or to collect any native plant from any specially protected area on that continent. In addition, the Act makes it unlawful for anyone in the United States to possess, sell, offer for sale, deliver, receive, carry, transport, import, export, or attempt to import or export from the United States any native mammal or bird taken in Antarctica or any plant collected in any specially protected area.

***Archeological Resources Protection Act*** (16 U.S.C. 470aa). This Act protects archeological resources and sites on public and Indian lands and fosters increased cooperation among governmental authorities, the professional archeological community, and individuals who own collections of archeological resources obtained before October 31, 1979. The Act makes it illegal for any person to excavate, remove, damage, or otherwise alter or deface any archeological resource located on public or Indian lands without a permit. In addition, the Act makes it illegal for any person to sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange any archeological resource taken from public or Indian lands in violation of Federal, State, or local law.

***African Elephant Conservation Act*** (16 U.S.C. 4201-4245). This Act provides additional protection for the African elephant. It establishes an assistance program for elephant-producing countries of Africa and provides for the creation of an African Elephant Conservation Fund. In addition, the Act places a moratorium on the importation of raw or worked ivory from African elephant-producing countries that do not meet certain criteria.

***Wild Bird Conservation Act*** (16 U.S.C. 4901). This 1992 Act promotes the conservation of exotic birds by encouraging wild bird conservation and management programs in countries of origin; by ensuring that all U.S. trade in such species is biologically sustainable and of benefit to the species; and by limiting or prohibiting imports of exotic birds when necessary.

***Rhinoceros and Tiger Conservation Act*** (16 U.S.C. 5301-5306). The 1998 reauthorization of this Act prohibits the import, export, or sale of any product, item, or substance containing, or labeled or advertised as containing, any substance derived from tiger or rhinoceros.