

## **NEWS RELEASE**

**U.S. FISH AND WILDLIFE SERVICE  
Mountain-Prairie Region  
134 Union Boulevard  
Lakewood, Colorado 80228**

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### **U.S. Fish & Wildlife Service investigations end in prison time and fines for wildlife criminals**

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Two investigations into violations of the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA) resulted in multiple convictions, prison sentences and monetary fines for the offenders convicted of shooting and selling eagles and hawks in North Dakota and Nebraska. Bald eagles are protected by the MBTA and the BGEPA. The killing, selling or bartering of an eagle is a violation of those acts.

The resulting sentences totaled more than ten years of combined prison time, five years probation and fines in excess of \$10,000.

U.S. Fish and Wildlife Service (Service) Special Agents investigated the cases and worked with the U.S. Attorneys Offices of North Dakota and Nebraska to bring the offenders to justice for a number of wildlife crimes and unlawful possession of firearms.

“These convictions and sentences should serve as a warning to those considering crimes against wildlife. The Service’s Office of Law Enforcement is in the business of bringing wildlife criminals to justice. We hope these convictions deter others from following in the footsteps of wildlife criminals,” said Steve Oberholtzer, Special Agent in Charge of the Mountain-Prairie Region.

North Dakota case:

In March 2009, a Special Agent investigated an alleged eagle shooting. During the investigation the defendant was documented as being a felon who was prohibited from possessing firearms or ammunition. The investigation revealed a photograph which depicted the man holding an immature bald eagle which was later learned to have been shot along the Missouri River. Further, the investigation was able to produce two short video clips of the man shooting a rifle and a pistol grip shotgun with magazine extension tube.

The Service joined forces with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, in May 2009 to serve a federal search warrant on the man’s residence. Evidence and property seized from the search

warrant included nine fully loaded weapons, including the pistol grip shotgun, thousands of rounds of ammunition, drug paraphernalia, and two bald eagle feet.

A trial ensued in February 2010 with the man being convicted of all counts in a three-count indictment. The man was found guilty of possession of firearms and ammunition by a convicted felon and unlawful take and possession of a bald eagle, all in violation of federal law.

On June 2, 2010, he was sentenced by the Federal District Court Judge to 100 months incarceration in a federal prison for being a felon in possession of a firearm, and 12 months incarceration for the unlawful take of a bald eagle. Both terms of incarceration will run concurrently. Upon release from prison he will serve three years supervised probation for the firearms charge and a one year supervised probation for the eagle charge with both terms to also run concurrently.

Nebraska cases:

In March 2007, Service agents investigated a complaint involving seven eagle carcasses, three hawk carcasses, and one falcon carcass found along the Missouri River on the Omaha Indian Reservation, near Macy, Nebraska. All of the bird carcasses had the tails and wings removed. The agents conducted two searches and assisted with the service of a Tribal search warrant on one residence. Wings, tails, and carcasses of numerous additional eagles and hawks were recovered during the searches. A large number of the hawks were simply shot and left to lie on the ground. The parts of approximately 20 eagles and 20 hawks were identified during the investigation. The investigation also revealed some of the eagles and hawks were killed to trade for cash and illegal drugs.

The case was investigated by the U.S. Fish and Wildlife Service, Federal Bureau of Investigation, Omaha Tribal Police Department and Omaha Tribal Wildlife Department.

Seven subjects convicted in the investigation were sentenced for their parts in the crimes. One subject received one year and one day in prison, 40 hours of community service and a \$100 fine. Another received five months imprisonment, five months home confinement, one year of supervised release, 50 hours of community service, and restitution of \$8,450. The other five subjects also pled guilty and all received fines of up to \$1,000.

Bald Eagles:

About 50,000 pairs of bald eagles occupied the lower 48 states in pre-colonial times, but that number was reduced to 400 pairs by the 1960s. Biologists blamed a loss of habitat, shooting, trapping and the heavy use of pesticides such as DDT. After DDT was outlawed, bald eagles began making a comeback in the late 1980s, and in June of 2007 they were removed from the Endangered Species Act list completely.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals and commitment to

public service. For more information on our work and the people who make it happen, visit [www.fws.gov](http://www.fws.gov).

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