



DEPARTMENT of the INTERIOR

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CACTUS POACHERS GET PRICKLY SENTENCES

Seventeen of the 21 people charged with poaching saguaro cactus plants from Arizona have been sentenced in the largest Federal case involving protected plants, the Interior Department's U.S. Fish and Wildlife Service Director John Turner said today.

Sixteen of the 21 pleaded guilty in Federal Court and one was convicted by a jury. Of the others charged, one awaits sentencing, charges against two defendants (one of whom is imprisoned on other charges) were dismissed, and the fourth, John R. Yates, of Phoenix, Arizona, is a fugitive and remains at large. The U.S. Fish and Wildlife Service offered a reward for information leading to Yates' arrest. Persons having such information may contact Service special agents at 703-358-1949.

"The sentences handed down in these cases show that the pillaging of our wonderful and unique natural desert heritage will not be tolerated," Turner said.

One Phoenix resident was sentenced to 12 months in prison followed by 3 years supervised release and \$21,680 restitution--the largest restitution penalty ever imposed for protected plants.

A second Phoenix resident was sentenced to 8 months in prison, 2 years probation, and \$5,000 restitution. A resident of Wittman, Arizona, was sentenced to 10 months in prison, 3 years probation, and \$12,708 restitution. On January 28, 1991, a resident of Palm Bay, Florida, was sentenced to 8 months in prison, 2 years probation, and a \$500 fine.

During the probation period, the individuals are prohibited from collecting, taking, or engaging in commerce involving cacti.

Penalties for the 13 others who have been sentenced thus far include a total of 35 years probation, \$8,570.50 in restitution, \$5,300 in fines, 8 months in prison, 3 years supervised release, 2 months home detention, and forfeiture of two trucks and a trailer.

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The defendants were indicted January 25, 1990, after a 4-year undercover investigation dubbed "Operation Woodstar" by the U.S. Fish and Wildlife Service. Prosecutions stemming from these indictments were undertaken by attorneys from the Environment and Natural Resources Division, Department of Justice, and the U.S. Attorney's Office for the District of Arizona.

The individuals were charged with stealing or illegally collecting saguaro cacti, including rare, fan-shaped "crested" plants, on Federal, state, and private land in Arizona for resale to nurseries, collectors, and residential property owners.

The saguaro cactus, the state plant of Arizona, is found principally in the Sonoran Desert and is known for its large size and the distinctive "arms" that branch from the main body of the plant. Rare, "crested" saguaros, of which only about 200 are estimated to remain in the wild, feature branches across the top in a broad, fan shape.

Saguaros are protected under Arizona's native plant law and under the Federal Lacey Act, which prohibits interstate trafficking in plants and animals collected in violation of state law, as well as interstate theft of plants from Federal lands. Along with other cacti, the saguaro is included on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which regulates trade in species that may be jeopardized by international commerce.

The individuals in this case were charged with removing saguaros illegally from vast, hard-to-patrol Federal and state lands, and in some cases from private property. The cactus collectors work mainly at night and can dig up and move a large, several-ton saguaro within 15 or 20 minutes. Healthy plants sell for up to \$50 a foot plus an additional \$100 per arm, and prized "crested" plants can sell for as much as \$15,000.

While not Federally listed as an endangered species, saguaro cacti require protection from illegal collection because of their vulnerability to loss or damage from vandalism, development, off-road vehicles, and air pollution, and because of their slow reproduction and rate of growth, which have made nursery propagation difficult. A saguaro does not begin to reproduce until it is 50 to 75 years old. The seeds are eaten by birds, mammals, and insects; seeds that do germinate grow very slowly, perhaps only an inch in the first 10 years, making them susceptible to loss from both natural causes and human impacts.

The sentences imposed in these cases were on charges including felony and misdemeanor violations of the Lacey Act, conspiracy, and theft of government property.