**Operation Silent Wilderness**

U.S. Fish and Wildlife Service special agents, along with Tribal and state wildlife conservation officers worked together on an investigation leading to the prosecution of 36 people as part of Operation Silent Wilderness, an undercover investigation of illegal trafficking of migratory birds.

The goal of Operation Silent Wilderness was to disrupt and dismantle a large network of black market wildlife profiteers involved in the trafficking of eagles and other federally protected migratory birds. By executing search warrants, conducting interviews, and coordinated intelligence gathering, law enforcement agents seized an estimated 8,413 migratory bird parts and products representing a minimum number of 589 federally listed migratory birds from 10 states within the United States and in Canada. This included an estimated 68 anhingas, 61 eagles, 186 hawks, 24 falcons, 48 woodpeckers, and 169 songbirds.

The Service led this wildlife trafficking investigation, working closely with the Navajo Nation Department of Fish and Wildlife. The Service also worked closely with U.S. Attorney’s Offices and the Department of Justice’s Environmental and Natural Resources Division (ENRD) to ensure successful prosecution of each case.

Sam Hirsch, Acting Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division said, “The Department of Justice is committed to enforcing wildlife laws that forbid the commercialization and exploitation for profit of eagle feathers and other bird parts, a valuable cultural and environmental resource to all Americans, and not least of all American Indians. The Department of Justice is committed to striking an appropriate balance in enforcing our nation’s wildlife laws that also respects the cultural and religious practices of federally recognized Indian tribes.” Read more from the Department of Justice on this case. [http://www.justice.gov/opa/blog/operation-silent-wilderness-preserving-and-protecting-environment-and-native-american](http://www.justice.gov/opa/blog/operation-silent-wilderness-preserving-and-protecting-environment-and-native-american)

Cooperative investigative work led to the takedown portion of Operation Silent Wilderness in March 2009, which included seven residential search warrants served in the states of Alabama, Arizona, Louisiana, and Utah as well as interviews and seizures in other states and Canada.

“One of the primary objectives of the U. S. Fish and Wildlife Service is to combat the international and interstate trafficking of illegal wildlife for monetary purposes,” said Special Agent in Charge Nicholas E. Chavez. “The success of this operation is the result of working jointly on information sharing and investigations with our National and International partners. With our combined efforts, we are protecting migratory birds from being exploited via the internet, smuggling through airports, or across our land borders.”

This investigation was initiated after the Navajo Nation Department of Fish and Wildlife received a complaint concerning a Navajo tribal member in Arizona who was selling eagle and other migratory bird feathers. The Department served a significant role in the successful outcomes in each case.
“The Navajo Nation Department of Fish and Wildlife entered into a partnership with the U.S. Fish and Wildlife Service to address illegal trafficking of eagle feathers and other bird parts on the Navajo Nation because this activity is impacting the long term viability and sustainability of the golden eagle and other migratory bird populations on our reservation,” said Gloria M. Tom, Director of the Navajo Nation Department of Fish and Wildlife. She added, “The individuals who are participating in this illegal activity are not concerned with protecting Native American religious rights; they are only concerned with the personal financial benefit they receive from the illegal activity. Our partnership with the U.S. Fish and Wildlife Service to deter wildlife crimes on the Navajo Nation has been very beneficial to the Navajo Nation with cases like these being successfully prosecuted. We look forward to continuing this partnership because there is a tremendous amount of illegal activity continuing to occur and the partnership needs to include more efforts to catch the individuals who are killing the birds and making their parts available on the black market.”

The Migratory Bird Treaty Act is one of the laws protecting certain avian species. Enacted in 1918, this Act implements this country’s commitments under avian protection treaties with Great Britain (for Canada), Mexico, Japan and Russia. The Act, established for the conservation of migratory birds, makes it unlawful to pursue, hunt, take, capture, kill, possess, sell, barter, purchase, ship, export, or import any migratory bird, or any parts, nests, eggs, or product thereof, unless permitted.

This cooperative effort was carried out with the understanding that if the killing and trafficking of migratory birds for the black market trade were allowed to persist, our nation could see a huge loss and be left with a "silent wilderness."

“This investigation was aptly named. In some ways, it is a tribute to the Wilderness Act signed into law fifty years ago. It would be unfathomable to explore a wilderness area and not hear a bird’s song or call, or see an eagle or hawk soaring in the sky,” said Dr. Benjamin Tuggle, Southwest Regional Director for the U.S. Fish and Wildlife Service. “But if wildlife trafficking is not stopped, this could ultimately become a reality. The Service has a responsibility to protect our wilderness areas and our wildlife. One of the ways we do this is by investigating suspected cases of wildlife trafficking and working with the Department of Justice to prosecute individuals participating in illegal activities.”

There are 1,026 species of birds protected by the federal Migratory Bird Treaty Act. “The ecological value Migratory birds bring is tremendous,” says Greg Hughes, Southwest Regional Chief for Migratory Birds. “They contribute to biological diversity and bring enjoyment and enrich the lives of many Americans who visit public lands to study, watch and listen to these birds.”

During Operation Silent Wilderness, other crimes were also uncovered. One investigation led to the prosecution of an individual found guilty of receiving and possessing child pornography. Other violations discovered during this investigation included violations of the Endangered Species Act, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and Canadian wildlife laws.
Due to a significant loss of our wildlife and the monetary amounts being profited in wildlife trafficking, the National Strategy for Combating Wildlife Trafficking was signed by the President in February 2014, to establish guiding principles and strategic priorities to stem illegal trade in wildlife in the United States. This strategy called for strengthening the enforcement of laws and international agreements that protect wildlife while reducing demand for illegal wildlife and wildlife products; and affirms our Nation’s resolve to work in partnership with governments, local communities, nongovernmental organizations, the private sector, and others to combat wildlife trafficking both domestically and internationally.

For more information on the Executive Order and the National Strategy for Combating Wildlife Trafficking visit the following websites at:


Learn about the Wilderness Act at:
www.wilderness.net/index.cfm?fuse=nwps&sec=legisact
www.wilderness50th.org/index.php?useraction=home-feature_49th_anniversary

Department of Justice News Release – Operation Silent Wilderness
Sentencing Summary

Charley Allen of Grantsville, Utah: Allen was charged with a Migratory Bird Treaty Act violation involving the trafficking of anhinga feathers from Florida. On March 20, 2014, Allen pled guilty in the District of Utah to selling anhinga feathers in violation of the Migratory Bird Treaty Act. Allen failed to appear for sentencing on June 5, 2014. A bench warrant was issued. Following his arrest, Allen was sentenced in the District of Utah on August 14, 2014, to twelve months and one day of prison followed by one year of supervised release for a felony MBTA sale violation. Allen purchased forty-four anhinga tails for $100 each from a person who was shooting the birds in the Florida Everglades to supply the black market. Allen was in the process of reselling the tails from his home in Utah for as much as $400 each at the time of his apprehension.

Alexander Alvarez of Atmore, Alabama: For several years Alvarez made hunting trips to Southern Louisiana and the Lake Okeechobee and Everglades regions of Florida to kill anhingas for the black market feather trade. In 2008 this activity was discovered by U.S. Fish and Wildlife Special Agents and in March 2009 a federal search warrant was served at Alvarez’s Atmore, Alabama residence in order to obtain additional evidence concerning Alvarez’s wildlife crimes. Alvarez pled guilty to violations of the Migratory Bird Treaty Act and the Lacey Act involving the possession, take, and trafficking of federally protected migratory birds. On May 22, 2012, Alvarez was sentenced in Mobile, Alabama to the following: three years of probation, $31,000 restitution to the North American Wetlands Conservation Fund, forfeiture of a rifle and community service where Alvarez is to educate others on the harm of his offenses. Learn more http://www.justice.gov/opa/pr/2012/February/12-enrd-220.html

Emerson Austin of Leesville, Louisiana: The investigation revealed that Austin was heavily involved in the black market feather trade and linked to other feather traffickers throughout the United States. Austin managed to continue to be involved in illegal activities while deployed with the United States Army in Iraq and Afghanistan. During this time he sold hawk feathers to a person living in France. In 2012 Austin pled guilty in Lafayette, Louisiana and received concurrent sentences for the following two crimes: Possession of Child Pornography – five years prison followed by ten years of supervised release; Lacey Act/Trafficking in Wildlife - five years prison followed by three years of supervised release. Learn more http://www.justice.gov/usao/law/news/wdla20121220a.pdf

Darren Bird of Christopher Lake, Saskatchewan: Bird is a First Nations person of Canada who was charged with federal and provincial violations of Canadian wildlife law. The information sparking the investigation of Bird and leading to charges in Canada was provided to Canadian authorities based on a computer seizure in Arizona. Investigators found evidence that revealed an Arizona resident sold and shipped the tail of a crested caracara and feathers of a scarlet macaw to Bird. This sale and shipment from Arizona to Saskatchewan constituted violations of the Endangered Species Act, Migratory Bird Treaty Act, and Canadian law. On October 13, 2010, Bird pled guilty to three charges for the purchase and import of crested caracara and scarlet macaw feathers and was sentenced to a monetary penalty of $6,300 Canadian dollars, hunting license suspended for five years, and forfeiture of the seized feathers to the Crown.
Leo Begay of Tuba City, Arizona: Begay was a fan maker who was charged in a five count federal indictment in the District of Arizona for violations of the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act. Begay pled guilty to charges on Friday, June 20. Court ordered to pay a $1,000 fine and to serve four months, followed by 24 months of supervised release on October 6, 2014.

Marvin Burnside of Chula Vista, California: In late 2008 Burnside was identified as a supplier and the “go-to-guy” for obtaining scissor-tailed flycatcher and other feathers of protected migratory birds. An undercover officer made contact with Burnside and purchased fifty scissor-tailed flycatchers representing a minimum of nine individual scissor-tailed flycatchers. Federal charges were filed against Burnside in Flagstaff, Arizona for violations of the Migratory Bird Treaty Act and Lacey Act. On January 6, 2014, Burnside was sentenced to two years of probation and $4,500 in restitution to the Lacey Act Reward Account for transporting scissor-tailed flycatcher feathers in violation of the Lacey Act.

Clemente DiMuro of Miami, Florida: Evidence obtained during a residential search warrant in Utah revealed that DiMuro was shooting anhingas and supplying their feathers, primarily the tails, for the black market feather trade. Additional investigation showed DiMuro sold the tails of at least forty-four anhingas that were shot in the Everglades. DiMuro was charged by criminal complaint in Miami with a Migratory Bird Treaty Act sale/trafficking violation and an arrest warrant was issued. On August 16, 2011, DiMuro was sentenced to six months home of confinement followed by one year of supervised release, and two hundred and fifty hours of community service. DiMuro was also prohibited from hunting, fishing, or trapping while on supervised release and was required to surrender any such licenses. Learn more www.justice.gov/usao/fls/PressReleases/2011/110816-03.html

Eric Fitzgerald of North Pole, Alaska: Fitzgerald purchased sets of anhinga tail feathers for himself and facilitated the purchase of a set of anhinga tail feathers for a person in Arizona. On March 1, 2012, Fitzgerald pled guilty in Fairbanks, Alaska to three violations of the Migratory Bird Treaty Act and was fined $1,500.

Steven Patrick Garcia Jr. of San Jose, California: Garcia was shooting bald eagles, golden eagles, and hawks in order to sell their feathers. The violations were discovered while Garcia was living on the Northern Cheyenne Indian Reservation in Lame Deer, Montana. During the investigation, agents discovered Garcia posted 70 images of protected bird feathers, primarily tail feathers with the intent to sell. Sales of bald eagle, golden eagle, and several species of hawk feathers were documented during the investigation. On April 18, 2012, Garcia was indicted in the District of Montana for Migratory Bird Treaty Act and Lacey Act violations involving the sale of hawk and golden eagle feathers. Garcia later pled guilty to the violations and was sentenced to $6,750 restitution to North American Wetlands Conservation Fund and twenty-four months in prison to be followed by three years of supervised release. Learn more www.justice.gov/usao/mt/pressreleases/20130606144400.html

Harlin Hoshnic of Dennehotso, Arizona: Hoshnic was a fan maker involved in wildlife trafficking. Investigators documented the sale of a feather fan made by Hoshnic using tail feathers from an anhinga. On March 26, 2013, Hoshnic pled guilty in the District of Arizona to a sale violation of the Migratory Bird Treaty Act and is serving two years of probation.

Francis and Shelmarie Jones of Nazlini, Arizona: The Navajo Department of Fish and Wildlife received a complaint regarding the killing and selling of protected migratory birds by Francis Jones Jr. Following an investigation, the Joneses were later indicted in the District of Arizona for violations involving the trafficking in eagle feathers. On December 12, 2013, Francis Jones Jr. and Shelmarie Jones were sentenced for selling golden eagle feathers in violation of the Bald and Golden Eagle Protection Act. Francis Jones Jr. was sentenced to two months in prison, one year of supervised release, and one hundred and thirty hours of community service. Shelmarie Jones was sentenced to three months of probation and one hundred and thirty hours of community service. Additionally, one rifle was forfeited.

Lawrence Lanier Jr., of Glendale, Arizona: Lanier was a fan maker and was trafficking in eagle and other migratory bird feathers. During the investigation, it was discovered that Lanier was using eBay in furtherance of this illicit activity. Lanier was charged in Flagstaff, Arizona for violations of the Migratory Bird Treaty Act. He was sentenced on May 6, 2013 to three hundred and fifty (350) hours of community service, two years of probation, and $3,500 in restitution to the North American Wetlands Conservation Fund. News Coverage http://blogs.phoenixnewtimes.com/valleyfever/2012/12/lawrence_lanier_jr_of_glendale.php

Darwin James of Kayenta, Arizona: James was a fan maker who trafficked in eagle and other migratory bird feathers. In August 2012, James was indicted in the District of Arizona on seven counts of sale or offer to sell golden eagle and other migratory bird parts in violation of the Migratory Bird Treaty Act. James later pled guilty to one count of the indictment and was sentenced to $6,750 restitution to North American Wetlands Conservation Fund and five years of probation.

Harry Nez of Ramah, New Mexico: In late 2008, information was received indicating Nez was selling eagle and hawk feathers at the Gallup Flea Market in New Mexico. After an investigation, federal charges were filed against Nez in Flagstaff, Arizona for violations of the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act. On December 30, 2013, Nez was sentenced to two years of probation and $2,000 in restitution to the Navajo Department of Fish and Wildlife’s Operation Game Thief for selling eagle wings in Arizona in violation of the Bald and Golden Eagle Protection Act.

Marc David Maceira of Slidell, Louisiana: The investigation of Maceira revealed he killed anhingas in Southern Louisiana and sold the tail feathers of these protected birds. On March 24, 2011, Maceira was sentenced in the Eastern District of Louisiana to three years of probation, sixty days of home detention, fifty hours of community service, and ordered to pay $2,200 in restitution for selling migratory bird parts in violation of the Migratory Bird Treaty Act. Learn more http://www.justice.gov/usao/lae/news/2011/2011_03_24_marc_david_maciera_sent.html
Cedric Salabye of Dilkon, Arizona: Salabye was a fan maker who was trafficking in bald eagle and golden eagle feathers and products. He was indicted by a federal grand jury in the District of Arizona on four violations involving the trafficking of eagles. He was arrested by federal agents and later pled guilty to a sale violation of the Bald and Golden Eagle Protection Act. On April 23, 2009, Salabye was sentenced to six months of home confinement, five years of probation, and one hundred and fifty hours of community service. Twenty-five hours of the community service were required to be devoted to public education within the Navajo culture about the proper use of eagle feathers and the illegality of selling eagle feathers. Learn more http://www.justice.gov/opa/pr/2009/August/09-enrd-893.html

Patrick Scott of Tuba City, Arizona: Scott was a fan maker who was trafficking in bald eagle, golden eagle, anhinga, crested caracara, red-tailed hawk, rough-legged hawk, and other federally protected migratory birds. In addition to these species, U.S. and Canadian investigators documented that Scott unlawfully trafficked in feathers of a scarlet macaw. The scarlet macaw is listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the unlawful shipment of scarlet macaw feathers from the U.S. to Canada constitutes a violation of the U.S. Endangered Species Act as well as Canadian law. CITES Appendix I “includes species threatened with extinction that are or may be affected by trade.” Scott pled guilty to a Migratory Bird Treaty Act violation involving the sale of a feather fan made from the tail of an adult golden eagle for $900. On February 26, 2013, Scott was sentenced in the District of Arizona to a $2,000 fine, thirty days in prison, five months home confinement to be served following the prison sentence, and one year of supervised release to be served following home confinement. Learn More http://www.justice.gov/opa/pr/2012/December/12-enrd-1490.html

Samuel Tishie of Chambers, Arizona: LE agents investigating Tishie discovered that he was trafficking in the feathers of federally protected migratory birds. On September 17, 2013, Tishie was sentenced $2,000 in restitution to the Navajo Department of Fish and Wildlife’s Operation Game Thief and one year of probation for selling eagle feathers in violation of the Bald and Golden Eagle Protection Act.

Lance Todacheene of Page, Arizona: Todacheene was charged in Flagstaff, Arizona with the purchase of anhinga tail feathers in violation of the Migratory Bird Treaty Act. The total number of anhinga feathers purchased by Todacheene represented a minimum of two individual anhingas that were killed in South Florida by another individual who was also prosecuted as part of this investigation. On March 1, 2012, Todacheene was sentenced to $1,200 fine to be paid to the North America Wetlands Conservation Fund and one year of probation. News Coverage http://azdailysun.com/news/local/crime-and-courts/page-man-snared-in-illegal-bird-feather-case/article_95c0ae2c-6bc4-500a-b957-35c7deceeb2.html

Alexander Somers of White Swan, Washington: An investigation revealed that Somers was trafficking in bald and golden eagle feathers. Further investigation resulted in the federal indictment of Somers in the District of Arizona for multiple violations of the Bald and Golden Eagle Protection Act. An arrest warrant was issued for Somers and U.S. Fish and Wildlife Service special agents worked with the U.S. Marshal’s Service to arrange Somers’ self-surrender. Somers was a Yakama Nation tribal police officer at the time of his arrest. On
August 26, 2013, Somers was sentenced to $5,000 in restitution to the Navajo Department of Fish and Wildlife’s Operation Game Thief; $5,000 in restitution to Yakama Nation Wildlife, Range, and Vegetation Resources Management Program; three months in prison; ninety days of home confinement; and one year of supervised release for selling the tail of an adult golden eagle in violation of the Bald and Golden Eagle Protection Act.

**Daniel Chee Walley of Vanderwagen, New Mexico:** In late 2008, information was received indicating Walley was selling protected migratory bird feathers at the Gallup Flea Market in Gallup, New Mexico. Investigators documented the sale of a Swainson’s hawk tail by Walley at the flea market. Walley was later served a summons to appear in federal court, but failed to appear as required. As a result an arrest warrant was issued and Walley was arrested with the aid of the Navajo Department of Fish and Wildlife and the U.S. Marshal’s Service. On January 31, 2013, Walley was sentenced to a fine of $150, two months home of detention, and one year of probation for selling migratory bird feathers in violation of the Migratory Bird Treaty Act. Learn more [www.justice.gov/usao/nm/press-releases/2012/2012-10-22_walley_pr.pdf](http://www.justice.gov/usao/nm/press-releases/2012/2012-10-22_walley_pr.pdf)

**Other Convictions**

Fourteen other defendants linked to this investigation were charged with Migratory Bird Treaty Act violations involving the possession, purchase, or take of eagle and other federally protected migratory birds/feathers/products. All of these defendants were successfully prosecuted for an estimated total of $13,475 in forfeitures of collateral and the forfeiture of two rifles.

**U. S. Fish and Wildlife Service Forensics Laboratory**

The U.S. Fish & Wildlife Service Forensics laboratory provided support with the identification of all of the species seized during the course of the investigation. The Service’s forensics laboratory is the only lab in the world dedicated to crimes against wildlife and is very much like a 'typical' police lab, except the victim is an animal. The laboratory examines, identifies, and compares evidence using a wide range of scientific procedures and instruments, in the attempt to link suspect, victim, and crime scene with physical evidence. The laboratory supports federal law enforcement efforts of the Service’s 200+ Special Agents and Wildlife Inspectors throughout the United States, all fifty State Fish & Game Commissions, and approximately 150 foreign countries who have signed the United Nation's CITES (Convention on International Trade in Endangered Species) Treaty. For more information about the Forensics laboratory, visit [http://www.fws.gov/lab/](http://www.fws.gov/lab/)

Link to news coverage on wildlife trafficking and our forensics lab: [http://tmagazine.blogs.nytimes.com/2014/09/05/animal-trafficking-black-market/?_php=true&_type=blogs&hp&action=click&pgtype=Homepage&version=HpSumSmallMediaHigh&module=second-column-region&region=top-news&WT.nav=top-news&_r=0](http://tmagazine.blogs.nytimes.com/2014/09/05/animal-trafficking-black-market/?_php=true&_type=blogs&hp&action=click&pgtype=Homepage&version=HpSumSmallMediaHigh&module=second-column-region&region=top-news&WT.nav=top-news&_r=0)
Investigative Partners

- Navajo Department of Fish and Wildlife  www.nndfw.org/
- Arizona Game and Fish Department  http://azgfd.gov/
- Alabama Department of Conservation and Natural Resources  www.dcnr.state.al.us/
- Louisiana Department of Wildlife and Fisheries  www.wlf.louisiana.gov/
- Montana Fish Wildlife and Parks  http://fwp.mt.gov/
- Bureau of Indian Affairs  www.bia.gov/
- United States Marshals Service  www.usmarshals.gov/
- United States Postal Inspection Service  https://postalinspectors.uspis.gov/
- Bureau of Alcohol, Tobacco, Firearms and Explosives  www.atf.gov/
- National Oceanic and Atmospheric Administration  www.noaa.gov/
- Environment Canada  www.ec.gc.ca/
- Saskatchewan Ministry of Environment  www.environment.gov.sk.ca/
- French Customs  http://france.visahq.com/customs

Federal Prosecutions

Federal prosecutions of defendants in Operation Silent Wilderness were conducted by:

- U.S. Department of Justice’s Environmental and Natural Resources Division  www.justice.gov/enrd/
- U.S. Attorney’s Office for the District of Alaska  www.justice.gov/usao/ak/contact.html
- U.S. Attorney’s Office for the District of Montana  www.justice.gov/usao/mt/
- U.S. Attorney’s Office for the District of New Mexico  www.justice.gov/usao/nm/
- U.S. Attorney’s Office for the Eastern District of Louisiana  www.justice.gov/usao/lae/
- U.S. Attorney’s Office for the Southern District of Alabama  www.justice.gov/usao/als/
- U.S. Attorney’s Office for the Southern District of Florida  www.justice.gov/usao/dfs/
- U.S. Attorney’s Office for the Western District of Louisiana  www.justice.gov/usao/law/
- U.S. Attorney’s Office for the District of Utah  www.justice.gov/usao/ut/
U.S. Fish and Wildlife Service Mission Statement
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. It is both a leader and trusted partner in fish and wildlife conservation, known for its scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service.

For more information about the Service and the people who make it happen, visit www.fws.gov. Connect through Facebook page at www.facebook.com/usfws, follow tweets at www.twitter.com/usfwshq, watch the Service’s YouTube Channel at www.youtube.com/usfws and download photos from Flickr at www.flickr.com/photos/usfwshq

PSA on Wildlife Trafficking
http://youtu.be/3bgZBTXmigE

The Department of Justice Eagle Feathers Policy:

Working with Tribes in the Southwest
http://www.fws.gov/southwest/NAL/

Tribal Eagle Aviaries
www.fws.gov/southwest/NAL/aviaries.html

Non-Eagle Feather Repositories
www.fws.gov/southwest/NAL/feathers.html

National Eagle Repository
www.fws.gov/eaglerepository/index.php