

2005

United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
Office of Law Enforcement



In Reply Refer To:  
FWS/LE

Memorandum

To: Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

From: Special Agent in Charge, Region (b)(6),(b)(7)(C)

Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2003505272

Title of Investigation: Stafford Hill WMA Bald Eagle Shooting

Case Officer: Special Agent (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 500.00

(b)(6),(b)(7)(C)  
Concurrence: (b)(6),(b)(7)(C)

6/3/05

Date

(b)(6),(b)(7)(C)  
Approved: (b)(6),(b)(7)(C)

6/3/2005

Date

(b)(6),(b)(7)(C)  
Processed: (b)(6),(b)(7)(C)

6/6/05

Date

Budget Officer

United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
Office of Law Enforcement



Subject: Reward for (b)(6),(b)(7)(C)  
INV: Stafford Hill WMA Bald Eagle Shooting-2003505272

On 10/27/03, (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA was hunting pheasants the Stafford Hill Wildlife Management Area located in Cheshire, Massachusetts. While hunting a strip of woods in the middle of a corn field, (b)(6),(b)(7)(C) dog discovered the intact carcass of what he identified as a dead bald eagle. (b)(6),(b)(7)(C) thought that, because of the location of the carcass within the hunting area, the eagle may have been shot. (b)(6),(b)(7)(C) realizing the importance of his find, immediately traveled to Pittsfield, MA to report the dead bald eagle and contacted (b)(6),(b)(7)(C) of the Massachusetts Division of Fisheries and Wildlife. (b)(6),(b)(7)(C) accompanied (b)(6),(b)(7)(C) back to the area to show him the carcass. (b)(6),(b)(7)(C) positively identified the carcass as that of an immature bald eagle. (b)(6),(b)(7)(C) had a radiograph conducted of the eagle's body at a local veterinary clinic. The radiograph showed numerous small metal fragments consistent with birdshot fired from a shotgun.

A press release seeking information on the killing of the eagle was released by the U.S. Fish and Wildlife Service and appeared in newspapers and television stations across New England. Four witnesses who were hunting at the Stafford Hill WMA on 10/25/03 came forward with information regarding the shooting. This information would later lead to the identification of four hunters involved in the killing of the bald eagle.

Armed with information provided by several witnesses, Service Agents were able to identify (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) as members of the hunting party suspected of being involved in the eagle killing. When interviewed by Service Agents, all members of the suspect hunting party denied any knowledge of the eagle shooting.

The bald eagle carcass was sent to the National Fish and Wildlife Forensics Laboratory to determine the cause of death. The examination concluded that the eagle was shot and killed with #6 birdshot from a shotgun shell. Thirty-two pellets were recovered from the body. The examination also documented that the eagle was shot while it was flying and the birdshot entered the eagle's body in the breast and head areas.

Three of the subjects who had knowledge that DONOHUE killed the eagle; (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false testimony to the Grand Jury.

The Grand Jury subsequently indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C)

was arraigned in Federal Court in Springfield, MA.

(b)(6),(b)(7)(C)

initially entered a not guilty plea. However, after his defense attorney reviewed the Government's

~~evidence and~~ the quality of its' witnesses, he advised (b)(6),(b)(7)(C) to change his plea to guilty.

(b)(6),(b)(7)(C)

admitted to shooting the eagle in open court and plead guilty to one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C)

was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

Without the actions of (b)(6),(b)(7)(C), who took it upon himself to immediately end his hunt and travel to Pittsfield, MA and report the dead bald eagle to wildlife officials, this crime may have gone undetected and the investigation and successful prosecution may not have been possible. The timely actions of (b)(6),(b)(7)(C) were crucial because the carcass would have eventually been predated on and most likely never found.

This case generated significant media publicity in the New England Area. Over the years, bald eagle have been shot and killed in New England, but this case was the first successful prosecution thanks in large part to the assistance of (b)(6),(b)(7)(C)



## REVIEWERS NOTES

**Action:** Request for reward  
**Case Title and Number:** Stafford Hill WMA Bald Eagle Shooting  
INV: 2003505272  
**Reward Recommended for:** (b)(6),(b)(7)(C)  
**Region:** 5

### Reviewer's Comments and Recommendations:

Special Agent (b)(6),(b)(7)(C) has reviewed the accompanying Request for Payment of Reward for (b)(6),(b)(7)(C) who while pheasant hunting discovered an intact carcass of an immature bald eagle and personally lead investigators to the location.

Because of (b)(6),(b)(7)(C) initial discovery and willingness to provide the initial information to investigators, a press release seeking information was released which lead to the identification of four hunters involved in the killing of the eagle. The shooter was identified by other witnesses, subsequently plead guilty, received a \$5000 fine, \$35 court assessment, and hunting revocation for a period of 2 years.

ASAC advised that the proposed reward recipient has not received any payment of special funds in assistance to the case, or any case during the last fiscal year. ASAC request the check be made out to recipient of the reward.

The Branch of Investigations concurs with the requested reward payment, agreed by the case agent and SAC, in the amount of \$ 500. This request meets the criteria set forth in LE Memo 35. The attached justification supports a reward for (b)(6),(b)(7)(C)

Reviewer	(b)(6),(b)(7)(C)	<u>6/01/2005</u> Date
Concur:	(b)(6),(b)(7)(C) SAC/INV	<u>6/3/05</u> Date
Concur:	(b)(6),(b)(7)(C) Deputy Chief Dir	<u>6/3/05</u> Date

United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
Office of Law Enforcement



In Reply Refer To:  
FWS/LE

Memorandum

To: Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

From: Special Agent in Charge, Region 5 (b)(6),(b)(7)(C)

Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2003505272

Title of Investigation: Stafford Hill WMA Bald Eagle Shooting

Case Officer: Special Agent (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 500.00

Concurrence: (b)(6),(b)(7)(C)

6/3/05

Date

Approved: (b)(6),(b)(7)(C)

6/3/05

Date

Processed: (b)(6),(b)(7)(C)

6/6/05

Date

Budget Officer

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



Subject: Reward Justification for (b)(6),(b)(7)(C)  
INV: Stafford Hill WMA Bald Eagle Shooting-2003505272

On 10/27/03, a pheasant hunter discovered a bald eagle carcass located in a strip of woods at the Stafford Hill Wildlife Management Area in Cheshire, MA. Stafford Hill WMA is a State owned hunting area in which farm raised pheasants are released for hunting purposes. This WMA receives significant hunting pressure during the first several weeks of hunting season. After finding the eagle carcass, the hunter immediately contacted (b)(6),(b)(7)(C) of the Massachusetts Division of Fisheries and Wildlife in nearby (b)(6),(b)(7)(C) MA to report the dead eagle. (b)(6),(b)(7)(C) positively identified the carcass as that of an immature bald eagle. (b)(6),(b)(7)(C) had a radiograph conducted of the eagle's body at a local veterinary clinic. The radiograph showed numerous small metal fragments consistent with birdshot. (b)(6),(b)(7)(C) then contacted The U.S. Fish and Wildlife Service, Office of Law Enforcement.

A press release seeking information about the shooting of the eagle was released by the U.S. Fish and Wildlife Service and appeared in newspapers and on television stations across New England.

On the day the information was released, (b)(6),(b)(7)(C) a hunter from (b)(6),(b)(7)(C) MA saw (b)(6),(b)(7)(C) an article in the Berkshire Eagle Newspaper and contacted Special Agent (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) reported that he was pheasant hunting with (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the Stafford Hill WMA on 10/25/03 and witnessed a hunter shoot a large bird of prey. (b)(6),(b)(7)(C) advised that the other witnesses also wanted to provide information to SA (b)(6),(b)(7)(C) relative to the eagle shooting.

(b)(6),(b)(7)(C) contacted SA (b)(6),(b)(7)(C) and explained that on 10/25/03, while pheasant hunting at the Stafford Hill WMA he and his (b)(6),(b)(7)(C) witnessed (b)(6),(b)(7)(C) the eagle shooting and wanted to provide information to the SA (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) advised (b)(6),(b)(7)(C) that (b)(6),(b)(7)(C) was upset by what he observed and also wanted to talk to SA (b)(6),(b)(7)(C) about what he witnessed.

SA (b)(6),(b)(7)(C) met with (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at their residence in (b)(6),(b)(7)(C) MA. (b)(6),(b)(7)(C) explained that he was on a pheasant hunting trip with (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) friends in Cheshire when he observed a large bird fly from a tree and soar across the WMA. (b)(6),(b)(7)(C) advised as he was watching the bird he saw a hunter, who was later identified as (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA raise up his gun shoot it. (b)(6),(b)(7)(C) explained that he saw the bird fall into the woods and that he then heard the subjects laughing when they were looking at the bird's dead body. (b)(6),(b)(7)(C) stated that the shooter was with three other hunters and a dog. (b)(6),(b)(7)(C) stated that they were the only other hunting party in the area on 10/25/03. (b)(6),(b)(7)(C) advised that neither he nor the others in his group knew at the time that the bird was a bald eagle. (b)(6),(b)(7)(C) was able to give a complete detailed account of the hunting activities of the subjects involved in the eagle shooting, including the locations of each of the hunters when the eagle was shot and a description of the shooter.



Armed with information provided by (b)(6),(b)(7)(C) and his hunting companions, Service Agents were able to identify (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) as members of the hunting party suspected of being involved in the eagle killing. When interviewed by Service Agents, all members of the suspect hunting party denied any knowledge of the eagle shooting.

The bald eagle carcass was sent to the National Fish and Wildlife Forensics Laboratory to determine the cause of death. The examination concluded that the eagle was shot and killed with #6 birdshot from a shotgun. Thirty-two pellets were recovered from the body. The examination also documented that the eagle was shot while it was flying and the birdshot entered the eagle's body in the breast and head areas.

Three of the subjects who had knowledge that (b)(6),(b)(7)(C) killed the eagle; (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false testimony to the Grand Jury.

(b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) all testified before a Federal Grand Jury in Springfield, MA regarding the eagle shooting.

At the direction of the Assistant United States Attorney, (b)(6),(b)(7)(C) did not have to appear before the Federal Grand Jury in Springfield, MA. However, if the case proceeded to trial, (b)(6),(b)(7)(C) advised that he was ready to provide testimony regarding the incident.

The Grand Jury subsequently indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C) was arraigned in Federal Court in Springfield, MA. (b)(6),(b)(7)(C) initially entered a not guilty plea. However, after his defense attorney reviewed the Government's evidence and the quality of its witnesses, he advised (b)(6),(b)(7)(C) to change his plea to guilty. (b)(6),(b)(7)(C) admitted to shooting the eagle in open court and plead guilty to one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C) was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

(b)(6),(b)(7)(C) provided important investigative information to SA (b)(6),(b)(7)(C) during this case. (b)(6),(b)(7)(C) was able to give complete details of the events that had transpired and provide detailed descriptions of the suspects and the individual who shot the eagle.

This case generated significant media publicity in the New England Area. Over the years, many bald eagles have been shot and killed in New England. This case was the first successful prosecution for this type of illegal activity and will have tremendous deterrent value. (b)(6),(b)(7)(C) played an important role in the success of this investigation and prosecution.

## REVIEWERS NOTES

**Action:** Request for reward  
**Case Title and Number:** Stafford Hill WMA Bald Eagle Shooting  
INV: 2003505272  
**Reward Recommended for:** (b)(6),(b)(7)(C)  
**Region:** 5

### Reviewer's Comments and Recommendations:

Special Agent (b)(6),(b)(7)(C) has reviewed the accompanying Request for Payment of Reward for (b)(6),(b)(7)(C) who while pheasant hunting observed the defendant shoot an eagle and saw it fall into the woods. (b)(6),(b)(7)(C) voluntarily provided detailed account of the hunting activities of the subjects, including the locations of each hunter when the eagle was shot, and a description of the shooter.

Because of the detailed information provided by (b)(6),(b)(7)(C) Service agents identified members of the hunting party suspected of killing an eagle. As per AUSA direction, (b)(6),(b)(7)(C) did not testify before the Grand Jury. However (b)(6),(b)(7)(C) was prepared to testify if the case were to be tried in Federal court. The defendant subsequently plead guilty, received a \$5000 fine, \$35 court assessment, and hunting revocation for a period of 2 years.

ASAC advised that the proposed reward recipient has not received any payment of special funds in assistance to the case, or any case during the last fiscal year. ASAC request the check be made out to recipient of the reward.

The Branch of Investigations concurs with the requested reward payment, agreed by the case agent and SAC, in the amount of \$ 500. This request meets the criteria set forth in LE Memo 35. The attached justification supports a reward for (b)(6),(b)(7)(C)

Reviewer:	(b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C)	6/01/2005 Date
Concur:	(b)(6),(b)(7)(C) SAC/INV	6/3/05 Date
Concur:	(b)(6),(b)(7)(C) Deputy Chief D.V.	6/3/05 Date

United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
Office of Law Enforcement



In Reply Refer To:  
FWS/LE

Memorandum

To: Chief, Office of Law Enforcement  
From: Special Agent in Charge, Region 1  
Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2003505272

Title of Investigation: Stafford Hill WMA Bald Eagle Shooting

Case Officer: Special Agent

Reward Recommended for:

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 500.00

Concurrence:

(b)(6),(b)(7)(C)

6/3/05

Approved:

SAC, Branch of Investigations

Date

(b)(6),(b)(7)(C)

6/3/2005

For

Chief, Office of Enforcement

Date

Processed:

(b)(6),(b)(7)(C)

Budget Officer

6/6/05

Date



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



Subject: Reward Justification for (b)(6),(b)(7)(C)  
INV: Stafford Hill WMA Bald Eagle Shooting-2003505272

On 10/27/03, a pheasant hunter discovered a bald eagle carcass located in a strip of woods at the Stafford Hill Wildlife Management Area in Cheshire, MA. Stafford Hill WMA is a State owned hunting area in which farm raised pheasants are released for hunting purposes. This WMA receives a lot of hunting pressure during the first several weeks of hunting season. After finding the eagle carcass, the hunter immediately contacted (b)(6),(b)(7)(C) of the Massachusetts Division of Fisheries and Wildlife in nearby Pittsfield, MA to report the dead eagle. (b)(6),(b)(7)(C) positively identified the carcass as that of an immature bald eagle. (b)(6),(b)(7)(C) had a radiograph conducted of the eagle's body at a local veterinary clinic. The radiograph showed numerous small metal fragments consistent with birdshot fired from a shotgun. (b)(6),(b)(7)(C) then contacted The U.S. Fish and Wildlife Service, Office of Law Enforcement.

A press release seeking information about the shooting of the eagle was released by the U.S. Fish and Wildlife Service and appeared in newspapers and on television stations across New England.

On the day the information was released, (b)(6),(b)(7)(C) a hunter from Cheshire, MA saw an article in the Berkshire Eagle Newspaper and contacted Special Agent (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) reported that he was hunting with (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the Stafford Hill WMA on 10/25/03 and witnessed a hunter shoot the eagle. (b)(6),(b)(7)(C) advised that the other witnesses wanted to provide information to SA (b)(6),(b)(7)(C) relative to the eagle shooting.

(b)(6),(b)(7)(C) contacted SA (b)(6),(b)(7)(C) and explained that on 10/25/03, while pheasant hunting at the Stafford Hill WMA in Cheshire he observed a large bird fly from a tree and soar across the WMA. (b)(6),(b)(7)(C) advised as he was watching the bird he saw a hunter, who was later identified as (b)(6),(b)(7)(C) of Pittsfield, MA shoot it and kill it. (b)(6),(b)(7)(C) stated that the shooter was with three other hunters. One of the hunters (b)(6),(b)(7)(C) recognized as (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA.

(b)(6),(b)(7)(C) stated that they were the only other hunting party in the area on 10/25/03. (b)(6),(b)(7)(C) advised that neither he nor his hunting partners new the bird was a bald eagle at the time it was shot and thought that it might have been a hawk. (b)(6),(b)(7)(C) stated that (b)(6),(b)(7)(C) said he was going to call the State Environmental Police Officer to report the incident. (b)(6),(b)(7)(C) advised that when he saw the articles in the newspaper he contacted (b)(6),(b)(7)(C) and then contacted SA (b)(6),(b)(7)(C) to report the incident. (b)(6),(b)(7)(C) advised that his (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) who was hunting with him also witnessed the shooting and was upset by what he saw.

Because of the detailed information provided by (b)(6),(b)(7)(C) Service Agents were able to identify (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) as members of the hunting party suspected of being involved in the eagle killing. When interviewed by Service Agents, all members of the suspect hunting party denied any knowledge of the eagle shooting.

The bald eagle carcass was sent to the National Fish and Wildlife Forensics Laboratory to determine the cause of death. The examination concluded that the eagle was shot and killed with #6 birdshot from a shotgun. Thirty-two pellets were recovered from the body. The examination also documented that the eagle was shot while it was flying and the birdshot entered the eagle's body in the breast area and head.

Three of the subjects who had knowledge that (b)(6),(b)(7)(C) killed the eagle (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false testimony to the Grand Jury.

(b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) all testified before a Federal Grand Jury in Springfield, MA regarding the eagle shooting.

The Grand Jury subsequently indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

Three of the suspects who had knowledge that (b)(6),(b)(7)(C) killed the eagle: (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false information to the Grand Jury.

(b)(6),(b)(7)(C) appeared before a Federal Grand Jury in Springfield, MA and provided crucial testimony regarding the incident. The Grand Jury later indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

As a result of the investigation, (b)(6),(b)(7)(C) was arraigned in Federal Court in Springfield, MA. (b)(6),(b)(7)(C) initially entered a not guilty plea.

However, after his defense attorney reviewed the Government's evidence and the quality of its witnesses, he advised (b)(6),(b)(7)(C) to change his plea to guilty. (b)(6),(b)(7)(C) admitted to shooting the eagle in open court and plead guilty to one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C) was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

(b)(6),(b)(7)(C) was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

(b)(6),(b)(7)(C) provided important investigative information when he voluntarily came forward to report the shooting. (b)(6),(b)(7)(C) was able to positively identify one of the individuals in the suspect hunting party who was personally known to him from past experience. This information was essential during the investigative stages of this case.

This case generated significant media publicity in the New England Area. Over the years bald eagles have been shot and killed in New England, but this case was the first successful prosecution. The investigation and successful prosecution was the result of the cooperation of (b)(6),(b)(7)(C) and others.

## REVIEWERS NOTES

**Action:** Request for reward  
**Case Title and Number:** Stafford Hill WMA Bald Eagle Shooting  
INV: 2003505272  
**Reward Recommended for:** [REDACTED] (b)(6),(b)(7)(C)  
**Region:** 5

### Reviewer's Comments and Recommendations:

Special Agent [REDACTED] (b)(6),(b)(7)(C) has reviewed the accompanying Request for Payment of Reward for [REDACTED] (b)(6),(b)(7)(C) who while pheasant hunting observed the defendant shoot what he thought was a hawk. [REDACTED] (b)(6),(b)(7)(C) voluntarily reported the shooting and positively identified one hunter, and confirmed the presence of the other two hunters on the date of the shooting.

Because of the detailed information provided by [REDACTED] (b)(6),(b)(7)(C) Service agents identified members of the hunting party suspected of killing an eagle. [REDACTED] (b)(6),(b)(7)(C) provided crucial testimony before a Federal Grand Jury essential to the investigation and successful prosecution of the defendant. The defendant subsequently plead guilty, received a \$5,000 fine, \$35 court assessment, and hunting revocation for a period of 2 years.

ASAC advised that the proposed reward recipient has not received any payment of special funds in assistance to the case, or any case during the last fiscal year. ASAC request the check be made out to recipient of the reward.

The Branch of Investigations concurs with the requested reward payment, agreed by the case agent and SAC, in the amount of \$ 500. This request meets the criteria set forth in LE Memo 35. The attached justification supports a reward for [REDACTED] (b)(6),(b)(7)(C)

Reviewer: [REDACTED] (b)(6),(b)(7)(C)

SA [REDACTED] (b)(6),(b)(7)(C)

6/01/2005

Date

Concur:

[REDACTED] (b)(6),(b)(7)(C)

SAC/INV

6/3/05

Date

Concur:

[REDACTED] (b)(6),(b)(7)(C)

Deputy  
Div [REDACTED] (b)(6),(b)(7)(C)

6/3/05

Date



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



In Reply Refer To:  
FWS/LE

#### Memorandum

To: Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

From: Special Agent in Charge, Region (b)(6),(b)(7)(C)

Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2003505272

Title of Investigation: Stafford Hill WMA Bald Eagle Shooting

Case Officer: Special Agent (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 750.00

Concurrence: (b)(6),(b)(7)(C) 6/3/05  
SAC, Branch of Investigations Date

Approved: (b)(6),(b)(7)(C) 6/3/2005  
for Chief, Office of Law Enforcement Date

Processed: (b)(6),(b)(7)(C) 6/6/05  
Budget Officer Date

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



Subject: Reward Justification for (b)(6),(b)(7)(C)  
INV: Stafford Hill WMA Bald Eagle Shooting-2003505272

On 10/27/03, a pheasant hunter discovered a bald eagle carcass located in a strip of woods at the Stafford Hill Wildlife Management Area in Cheshire, MA. Stafford Hill WMA is a state owned hunting area in which farm raised pheasants are released for hunting purposes. This WMA receives a lot of hunting pressure during the first several weeks of hunting season. After finding the eagle carcass, the hunter immediately contacted (b)(6),(b)(7)(C) of the Massachusetts Division of Fisheries and Wildlife in nearby Pittsfield, MA to report the dead eagle. (b)(6),(b)(7)(C) positively identified the carcass as that of an immature bald eagle. (b)(6),(b)(7)(C) had a radiograph conducted of the eagle's body at a local veterinary clinic. The radiograph showed numerous small metal fragments consistent with birdshot. (b)(6),(b)(7)(C) then contacted The U.S. Fish and Wildlife Service, Office of Law Enforcement.

A press release seeking information about the shooting of the eagle was released by the U.S. Fish and Wildlife Service and appeared in newspapers television stations across New England. On the day the information was released (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA saw an article in the Berkshire Eagle Newspaper and immediately contacted Special Agent (b)(6),(b)(7)(C) reported that he witnessed the eagle being shot. (b)(6),(b)(7)(C) advised that on 10/25/03, he was hunting with several other individuals who included (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the Stafford Hill WMA in (b)(6),(b)(7)(C) MA when he observed a large bird fly from a tree and soar across the WMA. (b)(6),(b)(7)(C) explained that he then saw a hunter, who was later identified as (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA raise up his shotgun and shoot and kill the bird. (b)(6),(b)(7)(C) state that he saw the bird fall into a strip of woods near the hunters. (b)(6),(b)(7)(C) advised that he did not know the bird was a bald eagle at the time it was shot and thought that it might have been a hawk or another bird of prey species.

(b)(6),(b)(7)(C) advised that the shooter was with three other hunters, who (b)(6),(b)(7)(C) explained were locals who had a reputation in the area for committing wildlife violations. (b)(6),(b)(7)(C) stated that they were the only other hunting party in the area on 10/25/03.

(b)(6),(b)(7)(C) stated that he had planned to call the State Environmental Police Officer to report the incident, but instead contacted SA (b)(6),(b)(7)(C) after he saw the articles in the newspaper.

On Saturday, 11/1/03, (b)(6),(b)(7)(C) in disregard of his personnel safety, volunteered to accompany USFWS Special Agents to the Stafford Hill WMA in an attempt to identify the individuals responsible for the killing of the bald eagle. (b)(6),(b)(7)(C) resides in (b)(6),(b)(7)(C) MA, a very small town where several of the suspects also lived. Numerous groups of pheasant hunters were at the Stafford Hill WMA on that Saturday. (b)(6),(b)(7)(C) was able to identify several of the members of the hunting party who had been hunting with the suspect who had shot the bald eagle on 10/25/03. Although the suspected shooter was not present at the hunting area on 11/1/03, Service Agents were able to interview (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) who

(b)(6),(b)(7)(C) identified as members of the suspect's hunting party. As a result of these interviews, the Service Agents were able to learn the identities of the two remaining members of the hunting party. They were identified as (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were later interviewed by Service Agents. All members of the suspect hunting party denied any knowledge of the eagle shooting.

With the continuing assistance of (b)(6),(b)(7)(C) Service Agents were later able to identify (b)(6),(b)(7)(C) as the person who shot the eagle. A Massachusetts Environmental Police Officer assigned to the area advised that the (b)(6),(b)(7)(C) family and their associates had a reputation for violating wildlife laws. (b)(6),(b)(7)(C)

The bald eagle carcass was sent to the National Fish and Wildlife Forensics Laboratory to determine the cause of death. The examination concluded that the eagle was shot and killed with #6 birdshot fired from a shotgun. Thirty-two pellets were recovered from the body. The examination also documented that the eagle was shot while it was flying and the birdshot entered the eagle's body in the breast area and head areas.

Three of the suspects who had knowledge that (b)(6),(b)(7)(C) killed the eagle, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false testimony to the Grand Jury.

(b)(6),(b)(7)(C) provided the Service Agents with the names of the men he was hunting with who also observed the bald eagle shooting. They were contacted by Service Agents and agreed to testify to their observations that day. (b)(6),(b)(7)(C) appeared before a Federal Grand Jury in Springfield, MA and provided crucial testimony regarding the incident. The Grand Jury later indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

As a result of the investigation, (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA was arraigned in Federal Court in Springfield, MA for the two federal wildlife charges. (b)(6),(b)(7)(C) initially entered a "not guilty" plea. (b)(6),(b)(7)(C) defense attorney learned that (b)(6),(b)(7)(C) whose excellent reputation in the community was known to the attorney, was on the Government's witness list. He subsequently advised his client to plead guilty to both charges related to the eagle shooting. (b)(6),(b)(7)(C) subsequently plead guilty to one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act. (b)(6),(b)(7)(C) was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

Without the actions of (b)(6),(b)(7)(C) in coming forward and reporting the violation and later providing valuable assistance in the investigation and identification of the subjects involved, this case and prosecution may not have been successful.

This case generated significant media publicity in the New England Area. Over the years many bald eagle have been shot and killed in New England, but this case was the first successful prosecution. The investigation's success was the direct result of the cooperation of (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)



## REVIEWERS NOTES

**Action:** Request for reward  
**Case Title and Number:** Stafford Hill WMA Bald Eagle Shooting  
**INV:** 2003505272  
**Reward Recommended for:** (b)(6),(b)(7)(C)  
**Region:** 5

### Reviewer's Comments and Recommendations:

Special Agent (b)(6),(b)(7)(C) has reviewed the accompanying Request for Payment of Reward for (b)(6),(b)(7)(C) who after reading the press release contacted the Service agent and reported he witnessed the eagle being shot. (b)(6),(b)(7)(C) provided the names of the other hunters in his party. (b)(6),(b)(7)(C) stated he thought it was hawk and explained in detail who shot the eagle and where the eagle fell into a strip of woods near the hunters. (b)(6),(b)(7)(C) voluntarily, in disregard of his personal safety, accompanied Service agents to identify two members of the hunting party responsible for killing the eagle.

As a result of (b)(6),(b)(7)(C) identifying these members and his continued assistance, Service agents were later able to identify the individual who shot the eagle. (b)(6),(b)(7)(C) appeared before a Federal Grand Jury and provided crucial testimony regarding the incident. The defendant subsequently plead guilty, received a \$5,000 fine, \$35 court assessment, and hunting revocation for a period of 2 years.

ASAC advised that the proposed reward recipient has not received any payment of special funds in assistance to the case, or any case during the last fiscal year. ASAC request the check be made out to recipient of the reward.

The Branch of Investigations concurs with the requested reward payment, agreed by the case agent and SAC, in the amount of \$ 750. This request meets the criteria set forth in LE Memo 35. The attached justification supports a reward for (b)(6),(b)(7)(C) (b)(5)  
(b)(5)

Reviewer: (b)(6),(b)(7)(C)  
SA (b)(6),(b)(7)(C)

6/01/2005  
Date

Concur: (b)(6),(b)(7)(C)  
SAC/INV

6/3/05  
Date

Concur: (b)(6),(b)(7)(C)  
Deputy (b)(6),(b)(7)(C) of Div

6/3/05  
Date

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



In Reply Refer To:  
FWS/LE

#### Memorandum

To: Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

From: Special Agent in Charge, Region 5

Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2003505272

Title of Investigation: Stafford Hill WMA Bald Eagle Shooting

Case Officer: Special Agent (b)(6),(b)(7)(C)

Reward Recommended for:

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 500.00

Concurrence: (b)(6),(b)(7)(C) 6/3/05  
SAC, Branch of Investigations Date

Approved: (b)(6),(b)(7)(C) 6/3/2005  
for Chief, Office of Law Enforcement Date

Processed: (b)(6),(b)(7)(C) 6/6/05  
Budget Officer Date

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement



Subject: Reward Justification for (b)(6),(b)(7)(C)  
INV: Stafford Hill WMA Bald Eagle Shooting-2003505272

On 10/27/03, a pheasant hunter discovered a bald eagle carcass located in a strip of woods at the Stafford Hill Wildlife Management Area in Cheshire, MA. Stafford Hill WMA is a State owned hunting area in which farm raised pheasants are released for hunting purposes. This WMA receives significant hunting pressure during the first several weeks of hunting season. After finding the eagle carcass, the hunter immediately contacted (b)(6),(b)(7)(C) of the Massachusetts Division of Fisheries and Wildlife in (b)(6),(b)(7)(C) MA to report the dead eagle. (b)(6),(b)(7)(C) positively identified the carcass as that of an immature bald eagle. (b)(6),(b)(7)(C) had a radiograph conducted of the eagle's body at a local veterinary clinic. The radiograph showed numerous small metal fragments consistent with birdshot fired from a shotgun. (b)(6),(b)(7)(C) then contacted The U.S. Fish and Wildlife Service, Office of Law Enforcement.

A press release seeking information about the shooting of the bald eagle was released by the U.S. Fish and Wildlife Service and appeared in newspapers television stations throughout New England. On the day the information was released, (b)(6),(b)(7)(C) a hunter from (b)(6),(b)(7)(C) MA saw an article in the Berkshire Eagle Newspaper and contacted Special Agent Thomas (b)(6),(b)(7)(C) reported that he was pheasant hunting with (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the Stafford Hill WMA on 10/25/03 and witnessed a hunter shoot a large bird of prey. (b)(6),(b)(7)(C) advised that the other witnesses wanted to provide information to SA (b)(6),(b)(7)(C) relative to the eagle shooting.

(b)(6),(b)(7)(C) contacted SA (b)(6),(b)(7)(C) and explained that on 10/25/03, while pheasant hunting at the Stafford Hill WMA in Cheshire he observed a large bird fly from a tree and soar across the WMA. (b)(6),(b)(7)(C) advised as he was watching the bird he saw a hunter, who was later identified as (b)(6),(b)(7)(C) of (b)(6),(b)(7)(C) MA raise up his shotgun and shoot it. (b)(6),(b)(7)(C) explained that he saw the bird fall into a strip of woods. (b)(6),(b)(7)(C) stated that he yelled to the shooter that he just shot a turkey buzzard. (b)(6),(b)(7)(C) stated that the shooter was with three other hunters. (b)(6),(b)(7)(C) further stated that he was able to get a good look at the shooter and also the other individuals with him. (b)(6),(b)(7)(C) explained that they were the only other hunting party in the area on 10/25/03. (b)(6),(b)(7)(C) advised that neither he nor his hunting partners knew the bird was a bald eagle at the time it was shot and thought that it might have been a hawk or vulture. (b)(6),(b)(7)(C) stated that (b)(6),(b)(7)(C) said he was going to call the State Environmental Police Officer to report the incident. (b)(6),(b)(7)(C) advised that when he saw the articles in the newspaper he called (b)(6),(b)(7)(C) and then contacted SA (b)(6),(b)(7)(C) to report the incident.

Because of the information provided by (b)(6),(b)(7)(C) and other witnesses, Service Agents were able to identify (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) as members of the hunting party suspected of being involved in the eagle killing. When interviewed by Service Agents, all members of the suspect hunting party denied any knowledge of the eagle shooting. (b)(6),(b)(7)(C) was later able to identify (b)(6),(b)(7)(C) as the



person who shot the eagle.

The bald eagle carcass was sent to the National Fish and Wildlife Forensics Laboratory to determine the cause of death. The examination concluded that the eagle was shot and killed with #6 birdshot from a shotgun. Thirty-two pellets were recovered in the body. The examination also documented that the eagle was shot while it was flying and that the birdshot entered the eagle's body in the breast and head area.

Three of the subjects, who had knowledge that (b)(6),(b)(7)(C) killed the eagle; (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were subpoenaed to appear before a Federal Grand Jury in Springfield, MA. All three of the subjects denied any knowledge of the killing of the eagle and are suspected of knowingly providing false testimony to the Grand Jury.

(b)(6),(b)(7)(C) all testified before a Federal Grand Jury in Springfield, MA regarding the eagle shooting. At the direction of the Assistant United States Attorney, (b)(6),(b)(7)(C) did not have to appear before the Federal Grand Jury in Springfield, MA. However, if the case went to trial, (b)(6),(b)(7)(C) advised that he was ready to provide testimony regarding the incident.

The Grand Jury subsequently indicted (b)(6),(b)(7)(C) on one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C) was arraigned in Federal Court in Springfield, MA. (b)(6),(b)(7)(C) initially entered a not guilty plea. However, after his defense attorney reviewed the Government's evidence and the quality of its witnesses, he advised (b)(6),(b)(7)(C) to change his plea to guilty. (b)(6),(b)(7)(C) admitted to shooting the eagle in open court and plea guilty to one count of violating the Bald and Golden Eagle Protection Act and one count of violating the Migratory Bird Treaty Act.

(b)(6),(b)(7)(C) was sentenced in 2005 and received a \$5000.00 fine, plus a \$35.00 court assessment and his hunting privileges were revoked for a period of two (2) years.

(b)(6),(b)(7)(C) provided important information relative to this investigation. (b)(6),(b)(7)(C) was also able to identify the suspect who shot and killed the eagle. This investigation and prosecution may not have been as successful without the cooperation of (b)(6),(b)(7)(C)

This case generated significant media publicity in the New England Area. Over the years, bald eagles have been shot and killed in New England, but this case was the first successful prosecution. The investigation's success was the result of the cooperation of (b)(6),(b)(7)(C) and others.

## REVIEWERS NOTES

**Action:** Request for reward  
**Case Title and Number:** Stafford Hill WMA Bald Eagle Shooting  
INV- 2003505272  
**Reward Recommended for:** (b)(6),(b)(7)(C)  
**Region:** 5

### Reviewer's Comments and Recommendations:

Special Agent (b)(6),(b)(7)(C) has reviewed the accompanying Request for Payment of Reward for (b)(6),(b)(7)(C) who while pheasant hunting observed the defendant shoot what he thought was a vulture. (b)(6),(b)(7)(C) stated he yelled at the shooter that he just shot a turkey vulture. (b)(6),(b)(7)(C) voluntarily reported the incident and identified the individual who shot the eagle.

(b)(6),(b)(7)(C) provided crucial testimony before a Federal Grand Jury essential to the investigation and successful prosecution of the defendant. The defendant subsequently plead guilty, received a \$5,000 fine, \$35 court assessment, and hunting revocation for a period of 2 years.

ASAC advised that the proposed reward recipient has not received any payment of special funds in assistance to the case, or any case during the last fiscal year. ASAC request the check be made out to recipient of the reward.

The Branch of Investigations concurs with the requested reward payment, agreed by the case agent and SAC, in the amount of \$ 500. This request meets the criteria set forth in LE Memo 35. The attached justification supports a reward for (b)(6),(b)(7)(C) (b)(5)

Reviewer: (b)(6),(b)(7)(C)  
SA (b)(6),(b)(7)(C)

6/3/05  
Date

Concur: (b)(6),(b)(7)(C)  
SAC/INV

6/3/05  
Date

Concur: (b)(6),(b)(7)(C)  
Deputy Chief  
Div

6/3/05  
Date







# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



JUL 20 2005

Reply Refer To:  
FWS/LE FIS 4-05

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$1,500.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-2  
USFWS - Office of Law Enforcement  
P.O. Box 329  
Albuquerque, New Mexico 87103

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer, (b)(6),(b)(7)(C) (703-358-1949).

99000-5-0349  
99000-4900

99000-49

(b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

#257

FFS: \_\_\_\_\_

LE/QB: 9/1 \_\_\_\_\_

Org. No. - FY - Control No.	99000-5-0349
Final Pmt.	Partial Pmt.
Payr.	(b)(6),(b)(7)(C)
Sign.	
Title.	Admin Officer
Gda/Svc Rec'd	
Log/Inv Rec'd	
Invoice to FC	7/21/05



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Office of Law Enforcement  
500 Gold Ave., SW  
Albuquerque, New Mexico 87103



In Reply Refer To:  
FWS/LE

July 13, 2005

### Memorandum

To: Chief, Office of Law Enforcement  
From: Special Agent in Charge, Region 2  
Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward(s) to the following individual(s). Complete justification is attached.

INV Number: 2005200745

Title of Investigation: Alfalpa County Deer

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for (b)(6),(b)(7)(C)

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA **LAC** MMPA RTCA

Amount Requested: \$ 1500.00

Concurrence: (b)(6),(b)(7)(C)

Approved: (b)(6),(b)(7)(C)  
*mt* Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

Processed: (b)(6),(b)(7)(C)  
Budget Officer

Attachment

Date 7-15-05

Date 7/15/2005

Date 7/18/05

## NOTES TO REVIEWER

**Action:** Request for reward to be paid to [REDACTED]  
**Case Number:** INV: 2005200745  
**Case Title:** Alfalfa County Deer  
**Region:** Law Enforcement, Region 2

**Reviewer's Comments and Recommendations:** Senior Special Agent [REDACTED] has reviewed the accompanying Request for Payment of Reward for [REDACTED] and concurs with the payment of the requested reward from the Law Enforcement Reward Account.

This request meets the criteria set forth in LE Memo 35. The attached justification outlines Hart's assistance. The unsolicited information supplied by [REDACTED] helped provided vital information regarding illegal deer hunts by Colorado residents in the state of Oklahoma. This successful prosecution would not have been possible without the information provided by [REDACTED].

Four individuals in this investigation were issued Federal Violation Notices with collateral amounts totaling \$14,000. During March 2005, all violation notices were paid in full. Additionally, the Oklahoma Department of Wildlife Conservation received \$2,100.00 in civil restitution from the four defendants.

Reviewing Agent

[REDACTED]  
Senior Special Agent

7/15/05  
Date

Concur:

[REDACTED]  
SAC/INV

7/15/05  
Date

Concur:

[REDACTED]

7/15/05  
Date

Concur:

[REDACTED]

7/15/2005  
Date

In accordance with Law Enforcement Memorandum LE-35, I am requesting the payment of a monetary reward in the amount of \$1,500.00 to Cooperating Private Individual [REDACTED] for his (b)(6), (b)(7)(C) information, assistance and cooperation in Service criminal investigation INV-2005200745 entitled ALFALFA COUNTY DEER.

(b)(6), (b)(7)(C) The award amount was derived subjectively based on the evaluation of the scope, outcome, and importance of the case and the crucial information that Mr. (b)(6), (b)(7)(C) [REDACTED] provided in this investigation. On January 21, 2005, Mr. [REDACTED] contacted Oklahoma Game Warden Jon Cunningham regarding a deer hunt perpetrated by three Colorado residents on unlawfully acquired Oklahoma resident hunting licenses and deer tags. Mr. [REDACTED] further stated that the three subjects used their own names and social security numbers and a bogus address to secure the licenses in Alfalfa County, Oklahoma. Mr. (b)(6), (b)(7)(C) [REDACTED] stated that the three Colorado residents were associates of (b)(6), (b)(7)(C) [REDACTED], who resided in (b)(6), (b)(7)(C) [REDACTED] Oklahoma. Mr. (b)(6), (b)(7)(C) [REDACTED] advised that (b)(6), (b)(7)(C) [REDACTED] leased land in Alfalfa County, Oklahoma, and guided the three Colorado subjects on a deer hunts in Oklahoma in the fall of 2004. Mr. (b)(6), (b)(7)(C) [REDACTED] further stated that on November 26, 2004, the party harvested one Whitetail, L5 X R4, buck deer, and it was checked in at a deer check station in Alfalfa County, Oklahoma. Mr. [REDACTED] additionally agreed to provide assistance during the course of the investigation.

(b)(6), (b)(7)(C) Based on information provided by Mr. [REDACTED] Service Agents and Oklahoma game wardens were able to interview all the hunters identified by (b)(6), (b)(7)(C) [REDACTED]. Lacey Act violations were documented as a result of these interviews. Four defendants were issued Federal Violation Notices with collateral totaling \$14,000.00. During March 2005, all violation notices were paid in full. Additionally, the Oklahoma Department of Wildlife Conservation received \$2,100.00 in civil restitution from the four defendants.

A monetary reward of \$1,500.00 is well-deserved in this case as it brought all the individuals who participated in the justice and served to deter future violations by these individuals.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Office of Law Enforcement  
500 Gold Ave., SW  
Albuquerque, New Mexico 87103



In Reply Refer To:  
FWS/LE

**FILE COPY**

July 13, 2005

### Memorandum

To: Chief, Office of Law Enforcement  
From: Special Agent in Charge, Region 2  
Subject: Request for Payment of Reward

In accordance with LE Memorandum 35, I request approval of payment of a reward(s) to the following individual(s). Complete justification is attached.

INV Number: 2004205877

Title of Investigation: Lochridge Ranch

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C),(b)(7)(D)

Statutory Authority for Reward: N/A

Amount Requested: \$ 3500.00

Concurrence: (b)(6),(b)(7)(C)

SAC Branch of Investigations

Approved: (b)(6),(b)(7)(C)

*[Signature]* Chief, Office of Law Enforcement

Date 7/18/05

7/15/2005

Date

Processed: \_\_\_\_\_

Budget Officer

Date

Attachment

*submitted 7/18/05*



## NOTES TO REVIEWER

**Action:** Request for Payment of a Reward  
**Case Number:** INV: 2004205877  
**Case Title:** Lochridge Ranch  
**Region:** R-2

**Reviewer's Comments and Recommendations:** SAC-R2 is requesting payment of a reward to

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C),(b)(7)(D)

Region 2 understands that there is no statutory authority in the MBTA to pay rewards. The Region would like to pay using the authority found in the Revenue Enhancement Act to pay a \$3,500 reward from the Regional Special Funds Account. The attached justification will also serve as a request to exceed, pursuant to 1 LE 6.5A(3), if needed.

Review &  
Concur:

(b)(6),(b)(7)(C)

SAC/INV

7-15-05  
Date

Concur:

(b)(6),(b)(7)(C)

7-15-05  
Date

Concur:

(b)(6),(b)(7)(C)

Deputy Chief (b)(6),(b)(7)(C)

7/15/2005  
Date



In accordance with Law Enforcement Memorandum LE-35, I am requesting the payment of a monetary reward in the amount of \$3,500.00 to (b)(6),(b)(7)(C) a cooperative witness for his reporting and assistance with the criminal investigation of a migratory game bird baiting activity that spanned more than five years on the Lochridge Ranch. Although there is no statutory authority under the Migratory Bird Treaty Act to pay a reward, we are requesting authority to pursuant to the Fish and Wildlife Revenue Enhancement Act to pay a reward to Mr. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C),(b)(7)(D)

Moreover, (b)(6),(b)(7)(C) of the Texas Parks & Wildlife Department (TPW), had been actively involved as a fund raiser and major donor to the TPW Freshwater Fisheries Center, Athens, Texas (for whom the Center was named) and was identified as a perspective defendant in the instant investigation. The Center is also home to the Texas Game Warden Memorial. (b)(6),(b)(7)(C) also spearheads nationally publicized fund raiser events with Bass Pro Shops, Budweiser Sharelunker programs, and other prominent conservation organizations, that herald him as a "true conservationist." This investigation and the subsequent federal prosecution in Tyler, Texas, received national news coverage by the *Dallas Morning News*, as well as other news media organizations in the east Texas area, that profiled this case. In addition, an "atta boy" letter was received in the Regional Office yesterday from a captain with the State of Alabama commending the investigation done by Service agents in this case.

Mr. (b)(6),(b)(7)(C) retired from the TPW as a game warden in 1991. Mr. (b)(6),(b)(7)(C) subsequently became employed as ranch security at the Lochridge Ranch on or about 1996, and voluntarily left employment about 2001. Mr. (b)(6),(b)(7)(C) reported his observations and requested to be interviewed as to his detailed knowledge of the owner, family members, employees, and baiting activities.

(b)(6),(b)(7)(C),(b)(7)(D)

In an endeavor lasting several weeks and critical to the investigation, Mr. (b)(6),(b)(7)(C) volunteered to personally contact former employees to determine their level of cooperation and concerns regarding the investigation. Additionally, Mr. (b)(6),(b)(7)(C) was able to assess which former employees, if contacted by Service agents, would not expose the investigation prematurely to the perspective defendants.

Based on Mr. (b)(6),(b)(7)(C) information and voluntary contributions to this investigation, Service agents were able to effectively develop information from cooperative former employees. The results of Mr. (b)(6),(b)(7)(C) efforts and interviews with former employees allowed agents to pinpoint the baiting activity and techniques on the expansive ranch property, determine grain company vendors, identify clandestine surveillance points in a remote rural area, and effectively develop an entry plan to apprehend hunters in a timely manner.

Furthermore, I believe that based on this investigation and my personal knowledge of (b)(6),(b)(7)(C) influence and relationship with the Texas Parks & Wildlife Department, no law enforcement endeavors by the state game wardens would have occurred against the (b)(6),(b)(7)(C) family or the ranch property. At best,

the current maximum state law penalties and statute of limitations for this violation would have been profoundly deficient to provide a deterrent effect.

On November 26, 2004, Service agents apprehended (b)(6),(b)(7)(C) family members and ranch employees (a total of nine hunters) waterfowl hunting at the ranch property on and over a heavily baited area. Subsequent interviews and grain company records revealed that about 100,000 pounds of grain had been purchased over a five-year period that was used to bait for dove and waterfowl hunts on the ranch property.

The United States Attorney's Office, Tyler, Texas, achieved a settlement agreement against the ranch owner, the Edwin L. Cox Trust. The Service issued a Violation Notice to the ranch organization for a violation of Title 16, United States Code, Section 704(b)(2), the direction and placement of grain (bait) to enhance waterfowl hunting over a five-year period in the amount of \$120,000.00 monetary penalty. Additionally, the ranch ownership agreed to no hunting of any migratory game birds on the ranch property for a period of three years. The monetary penalty was paid in full on May 23, 2005 to the Central Violations Bureau, and the fine will be directed to the National Wetlands Fund. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) A monetary award in the amount of \$3,500.00 is recommended for Mr. (b)(6),(b)(7)(C) in this case. Without Mr. (b)(6),(b)(7)(C) candor in coming forward with this information, his willingness to aid Service agents by contacting former employees, and to provide testimony in federal court, this case would never have reached fruition. Moreover, the reward is well deserved in this case in that it has brought to an end to one of the largest unlawful waterfowl baiting activities ever investigated by Service agents. The wide spread notoriety of this investigation should serve as a strong deterrent to future violations.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement

134 Union Blvd.

Lakewood, CO 80228

AUG 03 2005



#### Memorandum

**TO:** Chief, Office of Law Enforcement

**FROM:** Special Agent in Charge, Region 6

**SUBJECT:** Request for Payment of a Reward

(b)(6),(b)(7)(C)

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individuals. Justification is attached.

INV Number: 2002602946

Title of Investigation: OPERATION COUNTER

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C)

Statutory Authority for Reward: Bald and Golden Eagle Protection Act (B&GEPA)

Amount Requested: \$ 1,500 each for (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and \$2,500 for (b)(6),(b)(7)(C)

Concurrence: (b)(6),(b)(7)(C)

8-15-05  
Date

Approved: (b)(6),(b)(7)(C)  
Chief, Office of Law Enforcement

8/15/05  
Date

Processed: (b)(6),(b)(7)(C)  
Budget Officer

8/15/05  
Date

Attachments:



1. The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.

(b)(6),(b)(7)(C)

Self Employed  
Rancher

Self Employed  
Rancher

Self Employed  
Rancher

2. The INV number and the title of the case.

INV 2002602946 - OPERATION COUNTER

3. The amount of reward requested, including an explanation of how that amount was derived.

\$1,500 for (b)(6),(b)(7)(C), \$1,500 for (b)(6),(b)(7)(C) and \$2,500 for (b)(6),(b)(7)(C) - The investigating Special Agent believes this reward amount legitimately compensates (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) for their actions related to the reporting of these violations. These ranchers reported the eagle mortalities knowing that doing so would likely cause conflicts with their neighboring ranchers. (b)(6),(b)(7)(C) went out into the field, against the wishes and knowledge of his (b)(6),(b)(7)(C) who owns most of the (b)(6),(b)(7)(C) ranches, and gathered dead eagles for transfer to a Nebraska Conservation Officer (CO). SA (b)(6),(b)(7)(C) received a report stating that the defendants in this case threatened bodily harm against (b)(6),(b)(7)(C) as they suspect him of providing the information that led to their prosecution. (b)(6),(b)(7)(C) provided the initial contact in the investigation and persuaded (b)(6),(b)(7)(C) to cooperate with investigating officers. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) initially provided information that directed the investigating officers to the defendants. (b)(6),(b)(7)(C) provided the largest amount of information and collected three poisoned eagle carcasses for the Nebraska CO. The total fines, special assessments and restitution in this case amounted to \$30,150 with \$15,000 suspended by the courts. The damage to the natural resources included a total of 12 dead eagles and five dead coyotes. A total of five poisoned calf carcasses, three poisoned sheep carcasses, and one poisoned cow carcass were recovered and removed from the field. Had (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) not reported this activity many more eagles and scavenging migratory birds would have undoubtedly been killed.

4. The authority for issuing the reward.

Bald and Golden Eagle Protection Act, 16 U.S.C. § 668(a) Payable from the Special Funds Account. (Note: The subjects were charged with and convicted of both a B&EPA violation and a FIFRA violation)

5. Justification statement.

(I) In justification of expenditure of reward funds, and as a preface to this request, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) are ranchers in the (b)(6),(b)(7)(C) Nebraska area. (b)(6),(b)(7)(C) is a very small ranching community in the sandhills of Nebraska south of O'Neill, NE. The possibility of alienating yourself



from your neighbors if they were aware of your cooperation with the U.S. Fish and Wildlife Service, Office of Law Enforcement is a great possibility. The possibility of bodily harm is also a valid threat, as the code of the old west is for ranchers to handle matters themselves without outside influence. (As was demonstrated by the ranchers who unlawfully obtaining poison and utilized it to kill coyotes without requesting assistance from any government agency).

On April 8, 2002, Nebraska CO (b)(6),(b)(7)(C) notified SA (b)(6),(b)(7)(C) that he had recovered a dead mature bald eagle in northeast Garfield County, Nebraska that he suspected had been poisoned. CO (b)(6),(b)(7)(C) advised that he had been receiving rumors that local ranchers in the Chambers, NE area had been poisoning eagles.

On April 25, 2002, Nebraska CO (b)(6),(b)(7)(C) notified SA (b)(6),(b)(7)(C) that he had received information from (b)(6),(b)(7)(C) that area ranchers were poisoning eagles and that a neighboring rancher, (b)(6),(b)(7)(C) had direct information on who was involved as (b)(6),(b)(7)(C) had discovered three dead eagles. (b)(6),(b)(7)(C) arranged for SA (b)(6),(b)(7)(C) to meet with (b)(6),(b)(7)(C) transferred the three bald eagles to CO (b)(6),(b)(7)(C) and stated the eagles had been killed by neighboring ranchers who had placed Counter pesticide out in an effort to poison coyotes.

On May 1, 2002, SA (b)(6),(b)(7)(C) interviewed (b)(6),(b)(7)(C) who provided information on J (b)(6),(b)(7)(C) Larry and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) stated these individuals were placing Counter pesticide (an organophosphate) on calf and lamb carcasses in an effort to kill coyotes. (b)(6),(b)(7)(C) advised that the defendants were aware that the poisoning efforts were also killing eagles.

On May 1, 2002, SA (b)(6),(b)(7)(C) interviewed (b)(6),(b)(7)(C) who stated (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were putting out poisoned calf and lamb carcasses in order to kill coyotes. (b)(6),(b)(7)(C) advised that (b)(6),(b)(7)(C) had also placed poisoned carcasses out in 2001 and that he normally placed the carcasses in a CRP field south of his ranch house. (b)(6),(b)(7)(C) stated that (b)(6),(b)(7)(C) had obtained his poison from (b)(6),(b)(7)(C).

Through the use of both ground and aerial searches, a total of 12 eagles carcasses, 5 calf carcasses, 3 sheep carcasses, 1 cow carcass and 5 coyote carcasses were located and seized.

On July 9, 2004, an Information was filed against (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) charging them with one count of violating the B&GEPA and one count of violating FIFRA.

Prior to the information being filed, Larry Davis died. A decision was made not to pursue charges against his wife (b)(6),(b)(7)(C) even though she was the person responsible for acquiring the poison used by all of the defendants.

On August 4, 2004, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) each plead guilty to one count of violating the B&GEPA, 16 U.S.C. 668(a) and one count of FIFRA, 7 U.S.C. 136. All defendants were sentenced to a fine of \$1,000 for each count, to run concurrently, and were required to pay restitution in the amount of \$4,000 for each count to Raptor Recovery Nebraska, Inc., to run concurrently and to pay a special assessment of \$25 per count.

Total fines, special assessments and restitution amounted to \$30,150 with \$15,000 suspended.

In light of the above stated facts the case agent recommends Mr. (b)(6),(b)(7)(C) and Mr. (b)(6),(b)(7)(C) each receive a reward in the amount of \$1,500 and Mr. (b)(6),(b)(7)(C) receive a reward in the amount of \$2,500 for providing information and evidence in this case that led to its successful prosecution.

(ii) *The number of subjects involved.*

Five subjects:

(b)(6),(b)(7)(C)

Larry W. Davis

(b)(6),(b)(7)(C)

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

Three subjects were charged and plead guilty to charges stemming from a two count Information. The Information charged the following violations:

1. Bald and Golden Eagle Protection Act, [16 USC § 668(a)] ( 1 count)
2. FIFRA, [7 USC § 136] (1 count)

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

The defendants were each fined \$1,000 on each count and ordered to pay restitution in the amount of \$4,000 on each count. There was also a special assessment of \$50. Total amount of fines, costs and restitution assessed was \$30,150 with \$15,000 suspended.

(v) N/A

(vi) *If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

No known relationships to Service officers, employees, or family members of a Service employee.

(vii) *The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

\$0.00

(viii) *The name of the persons who will receive the rewards.*

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(ix) None

**6. How to Issue the Checks.**

Make check payable to the name of the reward recipient.

**7. Where Checks Will be Mailed.**

~~(b)(6),(b)(7)(C)~~ Please mail to SAC office in Region 6 and SA  will hand deliver to the recipients.

## NOTES OF REVIEWER

**Action:** Request for Rewards to be Paid to (b)(6),(b)(7)(C)  
and (b)(6),(b)(7)(C)  
**Case Number:** INV # 2002602946  
**Case Title:** OPERATION COUNTER  
**Region:** 6

### Reviewer's Comments and Recommendations:

Region 6 is requesting authorization to give (b)(6),(b)(7)(C) a reward of \$1500 (b)(6),(b)(7)(C) a reward of \$2500, and (b)(6),(b)(7)(C) a reward of \$1500, all under the authority of the Bald and Golden Eagle Act. The attached justification outlines the assistance provided by each of these individuals during the course of this investigation. According to Region 6, the information and evidence obtained from these cooperating individuals was instrumental in reaching the successful prosecutions of the defendants of this case. The defendants in this case, were sentenced a total fine, special assessment, and restitution of \$30,150 with \$15,000 suspended. The violations stem from the poisoning of wildlife and the killing of twelve bald eagles. No prior request to exceed has been received for this investigation. To date, no special funds have been expended. This request clearly meets the criteria set forth in LE Memo 35 and 1 LE 6.8. Approval of this request is recommended.

Reviewer:

(b)(6),(b)(7)(C)  
SSA (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C)

08-11-2005  
Date

Concur:

(b)(6),(b)(7)(C)  
SAC/INV

8-11-05  
Date

Concur:

(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C) LEO

8-13-05  
Date

Concur:

(b)(6),(b)(7)(C)  
D.Chief (b)(6),(b)(7)(C)

8/15/05  
Date



**DEPARTMENT OF THE INTERIOR  
U.S. FISH AND WILDLIFE SERVICE  
OFFICE OF LAW ENFORCEMENT****REPORT OF INVESTIGATION  
REPORT#: 2002602946R004  
APPROVED - CASE CLOSED**

Note: This document contains neither recommendations nor conclusions of the Office of Law Enforcement, U.S. Fish and Wildlife Service. It is the property of this office and is loaned to your agency. It, and its contents are not to be distributed outside of your agency.

<b>CASE TITLE</b>  OPERATION COUNTER	<b>REPORT DATE</b> 09/28/2004	<b>CASE NUMBER</b> 2002602946
	<b>REPORTING OFFICER</b> (b)(6),(b)(7)(C) - SA (b)(6),(b)(7)(C)	<b>REPORT STATUS</b> RECOMMENDED FOR CLOSURE
	<b>APPROVED BY</b>	

<b>SUBJECTS OF REPORT</b> (b)(6),(b)(7)(C) LARRY W DAVIS (b)(6),(b)(7)(C)
--

**SYNOPSIS**

Information received by Nebraska Conservation Officers (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) indicated that several ranchers in the Chambers, Nebraska area were placing poison on calves in order to kill coyotes and were subsequently killing bald eagles.

The investigation identified five subjects that were involved in placing poisoned calf carcasses out on their property and the recovery of ten dead bald eagles that were poisoned and two eagle carcasses that had been shot.

A plea agreement was reached where three of the five defendants plead guilty to one count of the eagle protection act and one count of FIFRA and were fined \$1,000.00 each. They were also be required to pay restitution of \$4,000.00 each to Raptor Recovery Nebraska, Inc. and pay special assessments of \$50.00 each.

**DISTRIBUTION****Internal List**

(b)(6),(b)(7)(C)

**External List**

(b)(6),(b)(7)(C)

Conservation Officer

(b)(6),(b)(7)(C)

Conservation Officer

**NARRATIVE****DETAILS OF INVESTIGATION**

**Attorney** [REDACTED] **Responds to Plea Agreements from AUSA Steve Russell**

On February 26, 2004, [REDACTED] attorney for the defendants, responded to the proposed plea agreement from AUSA Russell.

Mossman requested that due to the death of Larry DAVIS from Leukemia, that the government utilize it's prosecutorial discretion and not charge Larry DAVIS' [REDACTED] in this investigation (SEE ATTACHMENT #1).

**Informations Filed Against Defendants**

After reviewing the facts surrounding this investigation, the U.S. Attorney's Office, District of Nebraska, made the decision to not prosecute [REDACTED] for her part in obtaining, distributing and illegal use of the pesticide COUNTER in the illegal take of bald eagles.

AUSA Russell filed informations charging [REDACTED] and [REDACTED] with one count of violating the Eagle Protection Act and one count of FIFRA for the unlawful use of insecticides.

On July 9, 2004, AUSA Russell forwarded notices to [REDACTED] and [REDACTED] advising them of the court date of August 4, 2004 for them to appear and plead to the charges against them (SEE ATTACHMENT #2).

**Defendants Sentenced by Magistrate Judge David Piester**

On August 4, 2004, Magistrate Judge David Piester, Lincoln, Nebraska sentenced [REDACTED] and [REDACTED]

Each defendant was convicted of violating one count of 16 U.S.C. 668(a), Eagle Protection Act and one count of 7 U.S.C. 136 FIFRA. The defendants were sentenced to a fine of \$1,000.00 for each count to run concurrently, to pay restitution in the amount of \$4,000.00 for each count to Raptor Recovery Nebraska, Inc, to run concurrently and to pay special assessment of \$25.00 per count.

Each defendant paid \$5,050.00 for a total of \$15,150.00 (SEE ATTACHMENTS #3, #4 and #5).

**Payments Forwarded to Nebraska Raptor Recovery, Inc.**

**OPERATION COUNTER**

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On August 11, 2004, AUSA Russell forwarded checks in the amount of \$4,000.00 from (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) totaling \$12,000.00 to Raptor Recovery Nebraska, Inc. (SEE ATTACHMENT #6).

**Destruction of Evidence**

On September 28, 2004, SA (b)(6),(b)(7)(C) transported all of the wildlife and livestock carcasses and the Counter pesticide to the Lincoln/Lancaster County land field, where they were buried.

SA (b)(6),(b)(7)(C) completed a Destruction of Evidence form (SEE ATTACHMENT #7).

**DESCRIPTION OF SUBJECTS**

Larry W. DAVIS (DECEASED)

(b)(6),(b)(7)(C)

Adult, white male

DOB: 12-26-1947

Height: 5'11" Weight: 195

Hair: Black Eyes: Green

OLN: NE G36006455

SSN: 506-58-9408

Occ: Rancher

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**OPERATION COUNTER**

**INV 2002602946  
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(b)(6),(b)(7)(C)

**PRIOR VIOLATIONS**

1. DAVIS, Larry - Arrested 08-25-2000 for Over Dimension, 09-12-2000 Guilty, \$25.00  
Fine \$23.00 Costs.

2. (b)(6),(b)(7)(C) No Convictions

3. (b)(6),(b)(7)(C) - No Convictions

4. (b)(6),(b)(7)(C)

5. (b)(6),(b)(7)(C) - No Convictions

**WITNESSES**

(b)(6),(b)(7)(C)  
Special Agent  
U.S. Fish and Wildlife Service  
Office of Law Enforcement  
8200 Cody Drive, Suite H  
Lincoln, Nebraska 68512

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)  
Conservation Officer  
Nebraska Game and Parks Commission  
Division of Law Enforcement  
1117 West Church Street  
Albion, Nebraska 68620

(b)(6),(b)(7)(C) DVM MS  
Veterinary Medical Examiner  
U.S. Fish and Wildlife Service  
Office of Law Enforcement  
National Fish and Wildlife Forensics  
Laboratory  
1490 East Main Street  
Ashland, Oregon 97520

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)  
Conservation Officer  
Nebraska Game and Parks Commission  
Division of Law Enforcement  
HC 63, Box 19  
O'Neill, Nebraska 68763



## OPERATION COUNTER

INV 2002602946  
R-4

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Forensic Specialist  
U.S. Fish and Wildlife Service  
Office of Law Enforcement  
National Fish and Wildlife Forensics Laboratory

1490 East Main Street  
Ashland, Oregon 97520

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Forensic Specialist  
U.S. Fish and Wildlife Service  
Office of Law Enforcement  
National Fish and Wildlife Forensics Laboratory  
1490 East Main Street  
Ashland, Oregon 97520

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Environmental Quality Program Manager  
Hygienic Laboratory  
The University of Iowa  
102 Oakdale Campus, #101 OH  
Iowa City, Iowa 52242-5002

(b)(6),(b)(7)(C)

## LAWS VIOLATED

1. 16 U.S.C. 668(a) - Bald and Golden Eagle Act - Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall knowingly, or with wanton disregard for the consequences of his act take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, or whoever violates any permit or regulation issued pursuant to this Act, shall be fined not more than \$100,000 or imprisoned not more than one year or both:
2. 16 U.S.C. 1538(a)(1)(B) - Endangered Species Act - It is unlawful for any person subject

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Senior Forensic Specialist  
U.S. Fish and Wildlife Service  
Office of Law Enforcement  
National Fish and Wildlife Forensics  
Laboratory

1490 East Main Street  
Ashland, Oregon 97520

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Nebraska Department of Agriculture  
301 Centennial Mall South  
P.O. Box 94756  
Lincoln, Nebraska 68509-4756

(b)(6),(b)(7)(C)

to the jurisdiction of the United States to take any such species within the United States or the territorial sea of the United States;

3. 16 U.S.C. 703 - Migratory Bird Treaty Act - Unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof...

4. 7 U.S.C. 1361 - Penalties [FIFRA 14]

(b) Criminal penalties.--

(1) In general.--

(A) Any registrant, applicant for a registration, or producer who knowingly violates any provision of this subchapter shall be fined not more than \$50,000 or imprisoned for not more than 1 year, or both.

(B) Any commercial applicator of a restricted use pesticide, or any other person not described in subparagraph (A) who distributes or sells pesticides or devices, who knowingly violates any provision of this subchapter shall be fined not more than \$25,000 or imprisoned for not more than 1 year, or both.

(2) Private applicator.-- Any private applicator or other person not included in paragraph (1) who knowingly violates any provision of this subchapter shall be guilty of a misdemeanor and shall on conviction be fined not more than \$1,000, or imprisoned for not more than 30 days, or both.

(3) Disclosure of information.--Any person, who, with intent to defraud, uses or reveals information relative to formulas of products acquired under the authority of section 136a of this title, shall be fined not more than \$10,000, or imprisoned for not more than three years, or both.

(4) Acts of officers, agents, etc.-- When constructing and enforcing the provisions of this subchapter, the act, omission, or failure of any officer, agent or other person acting for or employed by any person shall in every case be also deemed to be the act, omission, or

failure of such person as well as that of the person employed.

5. Section 2 (ee) - Federal Insecticide, Fungicide, and Rodenticide Act - To Use Any Registered Pesticide In A Manner Inconsistent With Its Labeling - The term "to use any registered pesticide in a manner inconsistent with its labeling" means to use any registered pesticide in a manner not permitted by the labeling, except that the term shall not include (1) applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling unless the labeling specifically prohibits deviation from the specified dosage, concentration, or frequency, (2) applying a pesticide against any target pest not specified on the labeling if the application is to the crop, animal, or site specified on the labeling, unless the Administrator has required that the labeling specifically state that the pesticide may be used only for the pests specified on the labeling after the Administrator has determined that the use of the pesticide against other pests would cause an unreasonable adverse effect on the environment, (3) employing any method of application not prohibited by the labeling unless the labeling specifically states that the product may be applied only by the methods specified on the labeling, (4) mixing a pesticide or pesticides with a fertilizer when such mixture is not prohibited by the labeling, (5) any use of a pesticide in conformance with section 5, 18, or 24 of this Act, or (6) any use of a pesticide in a manner that the Administrator determines to be consistent with the purposes of this Act. After March 31, 1979, the term shall not include the use of a pesticide for agricultural or forestry purposes at a dilution less than label dosage unless before or after that date the Administrator issued a regulation or advisory opinion consistent with the study provided for in section 27(b) of the Federal Pesticide Act of 1978, which regulation or advisory opinion specifically required the use of definite amounts of dilution.
6. Section 12 [136j] - The Federal Insecticide, Fungicide, and Rodenticide Act - Unlawful Acts - (a) In General. - (1) Except as provided by subsection (b), it shall be unlawful for any person in any State to distribute or sell to any person - (B) any registered pesticide if any claims made for it as a part of its distribution or sale substantially differ from any claims made for it as a part of the statement required in connection with its registration under section 3;  
  
(2) It shall be unlawful for any person- (F) to distribute or sell, or to make available for use, or to use, any registered pesticide classified for restricted use for some or all purposes other than in accordance with section 3(d) and any regulations thereunder, except that it shall not be unlawful to sell, under regulations issued by the Administrator, a restricted use pesticide to a person who is not a certified applicator for application by a certified applicator; (G) to use any registered pesticide in a manner inconsistent with its labeling;

**OPERATION COUNTER**

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**EVIDENCE**

1. One (1) mature bald eagle carcass, seizure tag #769981. Location: FWS/LE Evidence Freezer, Lincoln, NE.
2. One (1) mature bald eagle carcass, seizure tag #769983. Location: FWS/LE Evidence Freezer, Lincoln, NE.
3. One (1) immature bald eagle carcass, seizure tag #769960. Location: FWS/LE Evidence Freezer, Lincoln, NE.
4. One (1) immature bald eagle carcass, seizure tag #769982, item #1. Location: FWS/LE Evidence Freezer, Lincoln, NE.
5. One (1) mature bald eagle carcass, seizure tag #769982, item #2. Location: FWS/LE Evidence Freezer, Lincoln, NE.
6. One (1) mature bald eagle carcass, seizure tag #769982, item #3. Location: FWS/LE Evidence Freezer, Lincoln, NE.
7. One (1) coyote carcass, seizure tag #577256. Location: FWS/LE Evidence Freezer, Lincoln, NE.
8. One (1) sheep carcass, seizure tag #707847. Location: FWS/LE Evidence Freezer, Lincoln, NE.
9. One (1) immature bald eagle carcass, seizure tag #578057. Location: FWS/LE Evidence Freezer, Lincoln, NE.
10. One (1) mature bald eagle carcass, seizure tag #577255. Location: FWS/LE Evidence Freezer, Lincoln, NE.
11. One (1) bald eagle carcass, seizure tag #707819. Location: FWS/LE Evidence Freezer, Lincoln, NE.
12. One (1) mature bald eagle carcass, seizure tag #707848. Location: FWS/LE Evidence Freezer, Lincoln, NE.
13. One (1) coyote carcass, seizure tag #707846. Location: FWS/LE Evidence Freezer, Lincoln, NE.
14. One (1) coyote carcass, seizure tag #707850. Location: FWS/LE Evidence Freezer,



## OPERATION COUNTER

INV 2002602946  
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Lincoln, NE.

15. One (1) coyote carcass, seizure tag #707820. Location: FWS/LE Evidence Freezer, Lincoln, NE.
16. Suspected Counter CR, (Terbufos), from bag labeled Counter CR, seizure tag #770073. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
17. Suspected Counter CR, from calf #1, seizure tag #707842. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
18. Suspected Counter CR, from calf #2, seizure tag #707841. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
19. Suspected Counter CR, from calf #3, seizure tag #707837. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
20. Suspected Counter CR, from calf #4, seizure tag #707840. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
21. Suspected Counter CR, from Calf #5, seizure tag #707844. Location: FWS/LE Evidence Warehouse, Lincoln, NE.
22. Photographs of eagles five through 10 and of all coyote, calf, cow and sheep carcasses and the bag of seized Counter CR.

## ATTACHMENTS

1. Copy of letter from (b)(6),(b)(7)(C) to AUSA Russell, dated 02-26-2004. (2 pages)
2. Copy of letter to defendants in reference to Plea to Information, dated 07-09-2004. (3 pages)
3. Copy of judgment in a criminal case against (b)(6),(b)(7)(C) dated 08-04-2004. (3 pages)
4. Copy of judgment in a criminal case against (b)(6),(b)(7)(C) dated 08-04-2004. (3 pages)
5. Copy of judgment in a criminal case against (b)(6),(b)(7)(C) dated 08-04-2004. (3 pages)

**OPERATION COUNTER**

**INV 2002602946  
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pages)

6. Copy of letter from AUSA Russell to Raptor Recovery Nebraska, Inc., dated 08-11-2004. (1 page)
7. Original Destruction of Evidence form for wildlife, livestock and Counter pesticide, dated 09-28-2004. (1 page)

OPERATION COUNTER

INV 2002602946  
R-4

**ADMINISTRATIVE PAGE**

**ADMINISTRATIVE INFORMATION**

All defendants have been charged and convicted in this investigation and all evidence has been disposed of, so this case is being closed.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

### Office of Law Enforcement

134 Union Blvd.

Lakewood, CO 80228

AUG 03 2005



#### Memorandum

**TO:** Chief, Office of Law Enforcement  
**FROM:** Special Agent in Charge, Region 6  
**SUBJECT:** Request for Payment of a Reward

(b)(6),(b)(7)(C)

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individuals. Justification is attached.

INV Number: 2002602946

Title of Investigation: OPERATION COUNTER

Case Officer: SA

(b)(6),(b)(7)(C)

Reward Recommended for

(b)(6),(b)(7)(C)

Statutory Authority for Reward: Bald and Golden Eagle Protection Act (B&GEPA)

Amount Requested: \$ 1,500 each for

(b)(6),(b)(7)(C)

and

(b)(6),(b)(7)(C)

and \$2,500 for

(b)(6),(b)(7)(C)

Concurrence:

(b)(6),(b)(7)(C)

Date

8-15-05

Approved:

(b)(6),(b)(7)(C)

Date

8/15/05

Processed:

(b)(6),(b)(7)(C)

Date

8/15/05

Budget Officer

Attachments:



1. The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

2. The INV number and the title of the case.

INV 2002602946 - OPERATION COUNTER

3. The amount of reward requested, including an explanation of how that amount was derived.

\$1,500 for (b)(6),(b)(7)(C), \$1,500 for (b)(6),(b)(7)(C) and \$2,500 for (b)(6),(b)(7)(C) - The investigating Special Agent believes this reward amount legitimately compensates (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) for their actions related to the reporting of these violations. These ranchers reported the eagle mortalities knowing that doing so would likely cause conflicts with their neighboring ranchers. (b)(6),(b)(7)(C) went out into the field, against the wishes and knowledge of his (b)(6),(b)(7)(C),(b)(7)(D) that (b)(6),(b)(7)(C) ranches, and gathered dead eagles for transfer to a Nebraska Conservation Officer (CO). SA (b)(6),(b)(7)(C) received a report stating that the defendants in this case threatened bodily harm against (b)(6),(b)(7)(C) as they suspect him of providing the information that led to their prosecution. (b)(6),(b)(7)(C) provided the initial contact in the investigation and persuaded (b)(6),(b)(7)(C) to cooperate with investigating officers. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) initially provided information that directed the investigating officers to the defendants. (b)(6),(b)(7)(C) provided the largest amount of information and collected three poisoned eagle carcasses for the Nebraska CO. The total fines, special assessments and restitution in this case amounted to \$30,150 with \$15,000 suspended by the courts. The damage to the natural resources included a total of 12 dead eagles and five dead coyotes. A total of five poisoned calf carcasses, three poisoned sheep carcasses, and one poisoned cow carcass were recovered and removed from the field. Had (b)(6),(b)(7)(C) Schwager, and (b)(6),(b)(7)(C) not reported this activity many more eagles and scavenging migratory birds would have undoubtedly been killed.

4. The authority for issuing the reward.

Bald and Golden Eagle Protection Act, 16 U.S.C. § 668(a) Payable from the Special Funds Account. (Note: The subjects were charged with and convicted of both a B&EPA violation and a FIFRA violation)

5. Justification statement.

(I) In justification of expenditure of reward funds, and as a preface to this request (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) are ranchers in the Chambers, Nebraska area. Chambers is a very small ranching community in the sandhills of Nebraska south of O'Neill, NE. The possibility of alienating yourself

from your neighbors if they were aware of your cooperation with the U.S. Fish and Wildlife Service, Office of Law Enforcement is a great possibility. The possibility of bodily harm is also a valid threat, as the code of the old west is for ranchers to handle matters themselves without outside influence. (As was demonstrated by the ranchers who unlawfully obtaining poison and utilized it to kill coyotes without requesting assistance from any government agency).

On April 8, 2002, Nebraska CO [REDACTED] notified SA [REDACTED] that he had recovered a dead mature bald eagle in northeast Garfield County, Nebraska that he suspected had been poisoned. CO [REDACTED] advised that he had been receiving rumors that local ranchers in the Chambers, NE area had been poisoning eagles.

On April 25, 2002, Nebraska CO [REDACTED] notified SA [REDACTED] that he had received information from [REDACTED] that area ranchers were poisoning eagles and that a neighboring rancher, [REDACTED] had direct information on who was involved as [REDACTED] had discovered three dead eagles. [REDACTED] arranged for SA [REDACTED] to meet with [REDACTED] transferred the three bald eagles to CO George, and stated the eagles had been killed by neighboring ranchers who had placed Counter pesticide out in an effort to poison coyotes.

On May 1, 2002, SA [REDACTED] interviewed [REDACTED] who provided information on [REDACTED] Larry and [REDACTED] and [REDACTED] stated these individuals were placing Counter pesticide (an organophosphate) on calf and lamb carcasses in an effort to kill coyotes. [REDACTED] advised that the defendants were aware that the poisoning efforts were also killing eagles.

On May 1, 2002, SA [REDACTED] interviewed [REDACTED] who stated [REDACTED] and Larry Davis were putting out poisoned calf and lamb carcasses in order to kill coyotes. [REDACTED] advised that Davis had also placed poisoned carcasses out in 2001 and that he normally placed the carcasses in a CRP field south of his ranch house. [REDACTED] stated that [REDACTED] had obtained his poison from Davis.

Through the use of both ground and aerial searches, a total of 12 eagles carcasses, 5 calf carcasses, 3 sheep carcasses, 1 cow carcass and 5 coyote carcasses were located and seized.

On July 9, 2004, an Information was filed against [REDACTED] and [REDACTED] charging them with one count of violating the B&GEPA and one count of violating FIFRA.

Prior to the information being filed, Larry Davis died. A decision was made not to pursue charges against his [REDACTED] even though she was the person responsible for acquiring the poison used by all of the defendants.

On August 4, 2004, [REDACTED] and [REDACTED] each plead guilty to one count of violating the B&GEPA, 16 U.S.C. 668(a) and one count of FIFRA, 7 U.S.C. 136. All defendants were sentenced to a fine of \$1,000 for each count, to run concurrently, and were required to pay restitution in the amount of \$4,000 for each count to Raptor Recovery Nebraska, Inc., to run concurrently and to pay a special assessment of \$25 per count.

Total fines, special assessments and restitution amounted to \$30,150 with \$15,000 suspended.

In light of the above stated facts the case agent recommends Mr. [REDACTED] and Mr. [REDACTED] each receive a reward in the amount of \$1,500 and [REDACTED] receive a reward in the amount of \$2,500 for providing information and evidence in this case that led to its successful prosecution.

(ii) *The number of subjects involved.*

Five subjects:

[REDACTED]

Shane L. Kaczor

Larry W. Davis

[REDACTED]

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

Three subjects were charged and plead guilty to charges stemming from a two count Information. The Information charged the following violations:

1. Bald and Golden Eagle Protection Act, [16 USC § 668(a)] ( 1 count)
2. FIFRA, [7 USC § 136] (1 count)

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

The defendants were each fined \$1,000 on each count and ordered to pay restitution in the amount of \$4,000 on each count. There was also a special assessment of \$50. Total amount of fines, costs and restitution assessed was \$30,150 with \$15,000 suspended.

(v) N/A

(vi) *If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

No known relationships to Service officers, employees, or family members of a Service employee.

(vii) *The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

\$0.00

(viii) *The name of the persons who will receive the rewards.*

[REDACTED]

(b)(6),(b)(7)(C)

(ix) None

**6. How to Issue the Checks.**

Make check payable to the name of the reward recipient.

**7. Where Checks Will be Mailed.**

Please mail to SAC office in Region 6 and SA (b)(6),(b)(7)(C) will hand deliver to the recipients.



## NOTES OF REVIEWER

**Action:** Request for Rewards to be Paid to  
and  
**Case Number:** INV # 2002602946  
**Case Title:** OPERATION COUNTER  
**Region:** 6

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

### Reviewer's Comments and Recommendations:

Region 6 is requesting authorization to give (b)(6),(b)(7)(C) a reward of \$1500, (b)(6),(b)(7)(C) a reward of \$2500, and (b)(6),(b)(7)(C) a reward of \$1500, all under the authority of the Bald and Golden Eagle Act. The attached justification outlines the assistance provided by each of these individuals during the course of this investigation. According to Region 6, the information and evidence obtained from these cooperating individuals was instrumental in reaching the successful prosecutions of the defendants of this case. The defendants in this case, were sentenced a total fine, special assessment, and restitution of \$30,150 with \$15,000 suspended. The violations stem from the poisoning of wildlife and the killing of twelve bald eagles. No prior request to exceed has been received for this investigation. To date, no special funds have been expended. This request clearly meets the criteria set forth in LE Memo 35 and 1 LE 6.8. Approval of this request is recommended.

Reviewer:

(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
SSA (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C)

08-11-2005  
Date

Concur:

(b)(6),(b)(7)(C)

8-11-05  
Date

Concur:

(b)(6),(b)(7)(C)

8-13-05  
Date

Concur:

(b)(6),(b)(7)(C)

8/15/05  
Date

**DEPARTMENT OF THE INTERIOR  
U.S. FISH AND WILDLIFE SERVICE  
OFFICE OF LAW ENFORCEMENT****REPORT OF INVESTIGATION  
REPORT#: 2002602946R004  
APPROVED - CASE CLOSED**

Note: This document contains neither recommendations nor conclusions of the Office of Law Enforcement, U.S. Fish and Wildlife Service. It is the property of this office and is loaned to your agency. It, and its contents are not to be distributed outside of your agency.

<b>CASE TITLE</b>  OPERATION COUNTER	<b>REPORT DATE</b> 09/28/2004	<b>CASE NUMBER</b> 2002602946
	<b>REPORTING OFFICER</b> (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C)	<b>REPORT STATUS</b> RECOMMENDED FOR CLOSURE
	<b>APPROVED BY</b>	

**SUBJECTS OF REPORT**

(b)(6),(b)(7)(C)  
LARRY W DAVIS  
LINDA J DAVIS  
(b)(6),(b)(7)(C)

**SYNOPSIS**

Information received by Nebraska Conservation Officers (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) indicated that several ranchers in the Chambers, Nebraska area were placing poison on calves in order to kill coyotes and were subsequently killing bald eagles.

The investigation identified five subjects that were involved in placing poisoned calf carcasses out on their property and the recovery of ten dead bald eagles that were poisoned and two eagle carcasses that had been shot.

A plea agreement was reached where three of the five defendants plead guilty to one count of the eagle protection act and one count of FIFRA and were fined \$1,000.00 each. They were also be required to pay restitution of \$4,000.00 each to Raptor Recovery Nebraska, Inc. and pay special assessments of \$50.00 each.

**DISTRIBUTION****Internal List**

(b)(6),(b)(7)(C)

**External List**

(b)(6),(b)(7)(C)

Conservation Officer

(b)(6),(b)(7)(C)

Conservation Officer



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



SEP 1 2005

Reply Refer To:  
FWS/LE FIS 4-05

129

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$2,500.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-6  
USFWS - Office of Law Enforcement  
P.O. Box 25486 - DFC  
Denver, CO 80225

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer (b)(6),(b)(7)(C) (703-358-1949).

(b)(6),(b)(7)(C)

99000-5-0363  
99000-4900

#433

(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)
FFS	
LE/QB	



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
134 Union Blvd.  
Lakewood, CO 80228

IN REPLY REFER TO:

August 5, 2005

## Memorandum

**TO:** Chief, Office of Law Enforcement  
**FROM:** Special Agent in Charge, Region 6  
**SUBJECT:** Request for Payment of a Reward

(b)(6),(b)(7)(C)

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2001604900

Title of Investigation: (b)(6),(b)(7)(C) et. al.

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: Lacey Act, 16 U.S.C. §3375(d)

Amount Requested: \$ 2,500

Concurrence: (b)(6),(b)(7)(C)  
SAC, Branch of Investigations

8-15-05  
Date

Approved: (b)(6),(b)(7)(C)  
Chief, Office of Law Enforcement

8/15/2005  
Date

Processed: (b)(6),(b)(7)(C)  
Budget Officer

8/15/05  
Date

Attachments:



1. **The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.**

(b)(6),(b)(7)(C),(b)(7)(D)

Self Employed - (b)(6),(b)(7)(C)

2. **The INV number and the title of the case.**

INV 2001604900 (b)(6),(b)(7)(C) et, al.

3. **The amount of reward requested, including an explanation of how that amount was derived.**

\$2,500 – This amount of money would be equitable compensation for (b)(6),(b)(7)(C) efforts and assistance he provided during this investigation. By voluntarily coming forward and providing critical eye witness information to the investigators, (b)(6),(b)(7)(C) exposed himself and (b)(6),(b)(7)(C),(b)(7)(D) to possible severe economic repercussions by one of the defendants who was employed as the local under-sheriff. The under-sheriff still has a large “following” of supporters in the community and there is no doubt (b)(6),(b)(7)(C),(b)(7)(D) affected because of his cooperation with state and federal investigators. In short, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C),(b)(7)(D) The reward amount of \$2,500 is the case agent's best conservative estimate as to the amount of business revenue (b)(6),(b)(7)(C) will lose because of his cooperation and assistance in this prosecution.

4. **The authority for issuing the reward.**

Lacey Act, 16 U.S.C. §3375(d). Payable from the Law Enforcement Reward Account.

5. **Justification statement.**

(b)(6),(b)(7)(C) (i) In justification of expenditure of reward funds and as a preface to this request, (b)(6),(b)(7)(C) is (b)(6),(b)(7)(C),(b)(7)(D) Broadus is a very small agricultural community with extensive ranching interests and is an area where resentment towards the federal government, federal and state wildlife laws is commonplace.

(b)(6),(b)(7)(C) willingly met with investigators and provided them information critical to the investigation. This information consisted of (b)(6),(b)(7)(C) eye witness account of the under-sheriff concealing evidence. (b)(6),(b)(7)(C) also identified several other witnesses. If (b)(6),(b)(7)(C) had not come forward, the investigation would not have resulted in the successful prosecution of the three defendants because critical evidence had been destroyed or covered up.

It is absolutely certain Fruit's cooperation in this investigation is known by a number of people in the local community. This fact, along with the large amount of anti-government sentiment in the area, will definitely have a negative effect on Fruit's business. [REDACTED] realized his cooperation would be known but he still came forward and cooperated with the investigators "because it was the right thing to do". In order to complete the mission and purpose of the USFWS/OLE, it is very important and critical to provide a monetary reward to those individuals who come forward and provide information to investigators.

(b)(6), (b)(7)(C)

(ii) *The number of subjects involved.*

Four subjects: Carter County deputy sheriff [REDACTED] and hunters [REDACTED] James Lane and [REDACTED]

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

[REDACTED] and [REDACTED] were charged in federal court for the state and district of Montana. Lane died just prior to his initial appearance. [REDACTED] and [REDACTED] both pleaded guilty to Lacey Act misdemeanors. [REDACTED] was cited into Montana state court and was convicted of Montana state charges for unlawfully taking, possessing and transporting two big game animals.

[REDACTED] and [REDACTED] both entered into a negotiated pleas of guilty stemming from a three count Information. The misdemeanor Information charged:

1. Conspiracy (Count I). Title 18 U.S.C. §371
2. Lacey Act Violation (Count II & III). Title 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(2). In November 1999 and November 2000, near Alzada and other locations within the State and District of Montana, the defendants, [REDACTED] and [REDACTED] Lane did knowingly sell, purchase and transport in interstate commerce between Montana and Florida wildlife, to wit: parts of five (5) mule deer bucks, one (1) pronghorn antelope, which were taken and possessed in violation of Montana law, specifically MCA 87-2-103(1)(c) and MCA 87-3-112(2), when, in the exercise of due care, they should have known said wildlife was taken and possessed in violation of law.

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

On 06/21/2005, both [REDACTED] and [REDACTED] were placed on three years supervised federal probation, each ordered to pay \$6,000 in fines and restitution and both were prohibited from hunting or fishing anywhere in the United States for three years. In addition, [REDACTED] .270 caliber Browning rifle and scope and [REDACTED] one illegal mule deer and one antelope shoulder mounts were forfeited to the government and [REDACTED] agreed to forfeit his hunting privileges in Montana and the 15 other violator compact states for life.

On 03/01/2003, state defendant (b)(6),(b)(7)(C) paid \$3,080 in state fines and restitution for violating four counts of Montana wildlife statutes. In addition, (b)(6),(b)(7)(C) hunting, fishing and trapping privileges were suspended in Montana and the 15 violator compact states for two years and (b)(6),(b)(7)(C) two mule deer shoulder mounts were forfeited to the government.

*(v) If all prosecutions have not been completed, a statement justifying payment of the reward before completion of pending prosecutions.*

All prosecutions in this investigation have been completed.

*(vi) If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

There is no known relationship to Service officers, employees, family members of any Service employee or any other person involved in the investigation.

*(vii) The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

(b)(6),(b)(7)(C)

has received no monetary compensation for his assistance.

*(viii) The name of the person who will receive the reward.*

Lee Fruit

*(ix) Circumstances, if any, requiring special check issuance procedures.*

None. Forward the check to the SAC Office in Denver, CO.

#### **6. How to Issue the Checks.**

Make check payable to the name of the reward recipient, (b)(6),(b)(7)(C)

#### **7. Where Checks Will be Mailed.**

Please mail to the Region 6 SAC Office. After receipt in the Denver SAC Office the check should be sent to Agent (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) will deliver the check to (b)(6),(b)(7)(C) in person, and ensure procedures set forth in LE - 35 are followed regarding the payment of this reward.





# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



SEP 1 2005

Reply Refer To:  
FWS/LE FIS 4-05

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$2,500.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-6  
USFWS - Office of Law Enforcement  
P.O. Box 25486 - DFC  
Denver, CO 80225

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer, (b)(6),(b)(7)(C) (703-358-1949).

*for*

99000-5-0362  
99000-4900

#434

(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)
FFS: _____	
LE/QB: _____	





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
134 Union Blvd.  
Lakewood, CO 80228

IN REPLY REFER TO:

August 3, 2005

## Memorandum

TO: Chief, Office of Law Enforcement

FROM: Special Agent in Charge, Region 6

SUBJECT: Request for Payment of a Reward

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2001604900

Title of Investigation: (b)(6),(b)(7)(C) et. al.

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: Lacey Act, 16 U.S.C. §3375(d)

Amount Requested: \$2,500

Concurrence: (b)(6),(b)(7)(C)

SAC, Branch of Investigations

Date

Approved: (b)(6),(b)(7)(C)

*Act-5*

Ch

t

Date

Processed: (b)(6),(b)(7)(C)

E

Date

Attachments:

1. **The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.**

(b)(6),(b)(7)(C)

Self Employed - Rancher and

(b)(6),(b)(7)(C)

2. **The INV number and the title of the case.**

INV 2001604900 - (b)(6),(b)(7)(C) et, al.

3. **The amount of reward requested, including an explanation of how that amount was derived.**

\$2,500 - This amount of money would be equitable compensation for (b)(6),(b)(7)(C) efforts and assistance he provided during this investigation. By voluntarily coming forward and providing critical eye witness information and photographic evidence to the investigators.

(b)(6),(b)(7)(C),(b)(7)(D)

(b)(7)(D)

(b)(6),(b)(7)(C),(b)(7)(D)

(b)(7)(D)

The reward amount of \$2,500 is the case agent's best conservative estimate as to the amount of business revenue (b)(6),(b)(7)(C) would lose because he cooperated with investigators.

4. **The authority for issuing the reward.**

Lacey Act, 16 U.S.C. §3375(d). Payable from the Law Enforcement Reward Account.

5. **Justification statement.**

(i) In justification of expenditure of reward funds and as a preface to this request, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C),(b)(7)(D)

Broadus is a very small agricultural community with extensive ranching interests and is an area where resentment towards the federal government, federal and state wildlife laws is commonplace.

(b)(6),(b)(7)(C),(b)(7)(D)

(ii) *The number of subjects involved.*

Four subjects: Carter County deputy sheriff (b)(6),(b)(7)(C) and hunters, (b)(6),(b)(7)(C) James Lane and (b)(6),(b)(7)(C)

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

(b)(6),(b)(7)(C) and Lane were charged in federal court for the state and district of Montana. Lane died just prior to his initial appearance. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both pleaded guilty to Lacey Act misdemeanors. (b)(6),(b)(7)(C) was cited into Montana state court and was convicted of Montana state charges for unlawfully taking, possessing and transporting two big game animals.

(b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both entered into a negotiated pleas of guilty stemming from a three count Information. The misdemeanor Information charged:

1. Conspiracy (Count I). Title 18 U.S.C. §371
2. Lacey Act Violation (Count II & III). Title 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(2). In November 1999 and November 2000, near Alzada and other locations within the State and District of Montana, the defendants, (b)(6),(b)(7)(C) and James McDaniel Lane did knowingly sell, purchase and transport in interstate commerce between Montana and Florida wildlife, to wit: parts of five (5) mule deer bucks, one (1) pronghorn antelope, which were taken and possessed in violation of Montana law, specifically MCA 87-2-103(1)(c) and MCA 87-3-112(2), when, in the exercise of due care, they should have known said wildlife was taken and possessed in violation of law.

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

On 06/21/2005, both (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were placed on three years supervised federal probation, each ordered to pay \$6,000 in fines and restitution and both were prohibited from hunting or fishing anywhere in the United States for three years. In addition, (b)(6),(b)(7)(C) 270 caliber Browning rifle and scope and (b)(6),(b)(7)(C) one illegal mule deer and one antelope shoulder mounts were forfeited to the government and (b)(6),(b)(7)(C) agreed to forfeit his hunting privileges in Montana and the 15 other violator compact states for life.

On 03/01/2003, state defendant (b)(6),(b)(7)(C) paid \$3,080 in state fines and restitution for violating four counts of Montana wildlife statutes. In addition, (b)(6),(b)(7)(C) hunting, fishing and trapping privileges were suspended in Montana and the 15 violator compact states for two years and (b)(6),(b)(7)(C) two mule deer shoulder mounts were forfeited to the government.

(v) *If all prosecutions have not been completed, a statement justifying payment of the reward before completion of pending prosecutions.*

All prosecutions in this investigation have been completed.

(vi) *If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

There is no known relationship to Service officers, employees, family members of any Service employee or any other person involved in the investigation.

(vii) *The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

(b)(6),(b)(7)(C) has received no monetary compensation for his assistance.

(viii) *The name of the person who will receive the reward.*

(b)(6),(b)(7)(C)

(ix) *Circumstances, if any, requiring special check issuance procedures.*

None. Forward the check to the SAC Office in Denver, CO.

#### 6. How to Issue the Checks.

Make check payable to the name of the reward recipient, (b)(6),(b)(7)(C)

#### 7. Where Checks Will be Mailed.

Please mail to Region 6 SAC Office. After receipt in the Denver SAC Office the check should be sent to Agent (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) will deliver the check to (b)(6),(b)(7)(C) in person, and ensure procedures set forth in LE - 35 are followed regarding the payment of this reward.







# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



SEP 1 2005

Reply Refer To:  
FWS/LE FIS 4-05

MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$2,500.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-6  
USFWS - Office of Law Enforcement  
P.O. Box 25486 - DFC  
Denver, CO 80225

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer (b)(6),(b)(7)(C) (703-358-1949).

99000-5-0360  
99000-4900

#432

(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)
FFS:	
LE/QB:	



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
134 Union Blvd.  
Lakewood, CO 80228

IN REPLY REFER TO:

August 3, 2005

## Memorandum

TO: Chief, Office of Law Enforcement (b)(6),(b)(7)(C)

FROM: Special Agent in Charge, Region 6

SUBJECT: Request for Payment of a Reward

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2001604900

Title of Investigation: (b)(6),(b)(7)(C) et, al.

Case Officer: SA (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: Lacey Act, 16 U.S.C. §3375(d)

Amount Requested: \$ 2,500

Concurrence: (b)(6),(b)(7)(C)

SAC, Branch of Investigations

Date

8-15-05

Approved: (b)(6),(b)(7)(C)

ment

Date

8/15/2005

Processed: (b)(6),(b)(7)(C)

Budget Officer

Date

8/15/05

Attachments:

1. **The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.**

(b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F)

Self Employed - B&B Taxidermy

2. **The INV number and the title of the case.**

INV 2001604900 - (b)(6),(b)(7)(C) et. al.

3. **The amount of reward requested, including an explanation of how that amount was derived.**

\$2,500 - This amount of money would be equitable compensation for (b)(6),(b)(7)(C) efforts and assistance he provided during this investigation. By voluntarily coming forward and providing critical eye witness information and physical evidence to the investigators,

(b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F) voluntarily turned over to investigators three illegally taken big game mounts that has completed for two of the defendants. By turning over these mounted animals, (b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F) lost any hope of payment from the two defendants for the work (b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F) had done on the animal mounts. The amount (b)(6),(b)(7)(C) lost as the result of his cooperation was \$1,282. The reward amount of \$2,500 would cover (b)(6),(b)(7)(C) lost revenue from the three big game mounts and also reward him for providing evidence and documents to the investigators. (b)(6),(b)(7)(C)

4. **The authority for issuing the reward.**

Lacey Act, 16 U.S.C. §3375(d). Payable from the Law Enforcement Reward Account.

5. **Justification statement.**

(b)(6),(b)(7)(C),(b)(7)(D)

(b)(6),(b)(7)(C) returned telephone calls and willingly met with investigators and provided them information critical to the investigation. This information consisted of (b)(6),(b)(7)(C) eye witness account, recollection of conversations, the three mounted illegal big game heads and business documents that served as key evidence against the three main defendants. If (b)(6),(b)(7)(C) had not cooperated, this investigation would not have resulted in the successful prosecution of the three defendants.



In order to complete the mission and purpose of the USFWS/OLE, it is very important and critical to provide a monetary reward to those individuals who come forward and provide information to investigators.

(ii) *The number of subjects involved.*

Four subjects: Carter County deputy sheriff (b)(6),(b)(7)(C) and hunter's (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) James Lane and (b)(6),(b)(7)(C)

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

(b)(6),(b)(7)(C) and Lane were charged in federal court for the state and district of Montana. Lane died just prior to his initial appearance. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both pleaded guilty to Lacey Act misdemeanors. (b)(6),(b)(7)(C) was cited into Montana state court and was convicted of Montana state charges for unlawfully taking, possessing and transporting two big game animals.

(b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both entered into a negotiated pleas of guilty stemming from a three count Information. The misdemeanor Information charged:

1. Conspiracy (Count I). Title 18 U.S.C. §371
2. Lacey Act Violation (Count II & III). Title 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(2). In November 1999 and November 2000, near Alzada and other locations within the State and District of Montana, the defendants, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and James McDaniel Lane did knowingly sell, purchase and transport in interstate commerce between Montana and Florida wildlife, to wit: parts of five (5) mule deer bucks, one (1) pronghorn antelope, which were taken and possessed in violation of Montana law, specifically MCA 87-2-103(1)(c) and MCA 87-3-112(2), when, in the exercise of due care, they should have known said wildlife was taken and possessed in violation of law.

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

On 06/21/2005, both (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were placed on three years supervised federal probation, each ordered to pay \$6,000 in fines and restitution and both were prohibited from hunting or fishing anywhere in the United States for three years. In addition, (b)(6),(b)(7)(C) 270 caliber Browning rifle and scope and (b)(6),(b)(7)(C) one illegal mule deer and one antelope shoulder mounts were forfeited to the government and (b)(6),(b)(7)(C) agreed to forfeit his hunting privileges in Montana and the 15 other violator compact states for life.

On 03/01/2003, state defendant (b)(6),(b)(7)(C) paid \$3,080 in state fines and restitution for violating four counts of Montana wildlife statutes. In addition, (b)(6),(b)(7)(C) hunting, fishing and trapping privileges were suspended in Montana and the 15 violator

compact states for two years and [REDACTED] two mule deer shoulder mounts were forfeited to the government.

*(v) If all prosecutions have not been completed, a statement justifying payment of the reward before completion of pending prosecutions.*

All prosecutions in this investigation have been completed.

*(vi) If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

There is no known relationship to Service officers, employees, family members of any Service employee or any other person involved in the investigation.

*(vii) The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

[REDACTED] has received no monetary compensation for his assistance.

*(viii) The name of the person who will receive the reward.*

[REDACTED]

*(ix) Circumstances, if any, requiring special check issuance procedures.*

None. Forward the check to the SAC Office in Denver, CO.

## **6. How to Issue the Checks.**

Make check payable to the name of the reward recipient, [REDACTED]

## **7. Where Checks Will be Mailed.**

Please mail to the Region 6 SAC Office. After receipt in the Denver SAC Office the check should be sent to Agent [REDACTED] SA [REDACTED] will deliver the check to [REDACTED]

[REDACTED] in person, and insure procedures set forth in LE - 35 are followed regarding the payment of this reward.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1875 Century Boulevard  
Atlanta, Georgia 30345

In Reply Refer To:  
FWS/LE INV 2004401210

### Memorandum

To: Chief, Office of Law Enforcement

From: Special Agent in Charge, Region 4, Office of Law Enforcement

Subject: Request to Spend in Excess of \$1000 in Special Funds for  
Payment of a Reward

In accordance with the reward provisions of the Fish and Wildlife Revenue Enhancement Act [16 USC 742l (k)(2)], I request approval of payment of a reward to the following individual. Complete justification is attached.

INV Number: 2004401210

Title of Investigation: (b)(6),(b)(7)(C)

Case Agent: (b)(6),(b)(7)(C)

Reward Recommended for: (b)(6),(b)(7)(C)

Statutory Authority for Reward: Fish and Wildlife Revenue Enhancement Act

Amount Requested: \$5000

Concurrence: (b)(6),(b)(7)(C) 8-8-05  
SAC, Branch of Investigations Date

Concurrence: (b)(6),(b)(7)(C) 8-16-05  
Chief, Office of Law Enforcement Date

Approved: (b)(6),(b)(7)(C) 8/31/05  
Budget Officer Date

Attachment

## Request for Payment of Reward

To: Special Agent in Charge, Region 4

From: Special Agent, Little Rock, AR

Subject: Request for Payment of Reward

Recipient:

(b)(6),(b)(7)(C)

CPI Number: Not applicable

INV 2004401210

U.S. v. CRAFT, (b)(6),(b)(7)(C)

Eastern District of Arkansas

Docket No. 4:04CR00181SWW

Amount of Reward Requested: \$5,000.00

Authority: 16 USC 7421 (k)(2) – Fish and Wildlife Revenue Enhancement Act

Justification:

In the spring of 2002, Officers with the Arkansas Game and Fish Commission received information from local residents which indicated that [redacted] was poisoning wildlife. The information was not specific as to the place where the alleged poisoning was taking place. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) On February 10, 2004 [redacted] called the Enforcement office of the Arkansas Game and Fish Commission and advised that [redacted] was poisoning wildlife and that the poison had affected a bald eagle, which [redacted] subsequently killed by breaking its neck. (b)(6),(b)(7)(C) At the time, [redacted] was an employee of [redacted]. Throughout the subsequent investigation, [redacted] cooperated with investigators and provided information which was critical to the successful prosecution of defendant [redacted]. (b)(6),(b)(7)(C) [redacted] testified before the federal [redacted] (b)(7)(E) with [redacted] (b)(6),(b)(7)(C) in order to gather information which would lead to a felony charge of witness tampering. (b)(6),(b)(7)(C) [redacted] did this at great risk to his personal safety. [redacted] (b)(6),(b)(7)(C) has made numerous threats against federal witnesses and has encouraged witnesses not to cooperate with investigators.



On March 8, 2005, [REDACTED] entered a plea of guilty to Count 1 of the superceding indictment. Count 1 charged an illegal take of an American bald eagle. [REDACTED] also entered a guilty plea to two MBTA counts, but plead not guilty to a FIFRA count.

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

[REDACTED] was also charged with three counts of witness tampering (18 USC 1512), a Class C felony. One of the counts was based on information obtained by [REDACTED] was convicted by a jury for Count 4 of the indictment in March 2005, however the jury could not reach a unanimous verdict on the witness tampering charges.

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

[REDACTED] was tried again in July 2005 on Counts 5-7, which alleged witness tampering, and he was found guilty of witness tampering on Counts 5 and 7 and not guilty on Count 6. Information provided by Shreve, including his taped conversation with the defendant, served as the basis for Count 5 for which [REDACTED] was convicted.

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

[REDACTED] cooperation went beyond that usually required of a witness. [REDACTED] reported the violation by [REDACTED] and provided specific information which led to a successful investigation. When the defendant began to issue threats against government witnesses, [REDACTED] agreed to meet with the [REDACTED] the threats at [REDACTED]

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(7)(E)

(b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F)

U.S. District Judge Susan Weber Wright found the threats by [REDACTED] against the witnesses so credible that she detained the defendant pending formal sentencing.

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

[REDACTED] has yet to be sentenced, but he faces a substantial fine and the sentencing guidelines specify a term of imprisonment of 41-54 months.

(b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F)

Prepared by

(b)(6),(b)(7)(C)

Amended by

(b)(6),(b)(7)(C)

## NOTES OF REVIEWER

**Action:** Request to spend in excess of \$1000 of special funds to pay a \$5000 reward to (b)(6),(b)(7)(C)  
**Case Number:** INV # 2004401210  
**Case Title:** (b)(6),(b)(7)(C)  
**Region:** 4

### Reviewer's Comments and Recommendations:

Region 4 is requesting authorization to give (b)(6),(b)(7)(C) a reward of \$5000. Region 4 had originally requested this reward to be paid under the authority of the Bald and Golden Eagle Protection Act (attached). With the understanding that \$2500 is the maximum reward per conviction that can be paid to an individual based on the reward provisions of the BGEPA, Region 4 would like to use the authority of the Fish and Wildlife Revenue Enhancement Act [16 USC 7421 (k)(2)] to pay a reward of \$5000 to (b)(6),(b)(7)(C).

The attached justification outlines (b)(6),(b)(7)(C) assistance. According to the Region 4 SAC, this successful prosecution would not have been possible without the assistance provided by (b)(6),(b)(7)(C). The defendant in this case, (b)(6),(b)(7)(C) was indicted for violations of the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and witness tampering. The violations stem from the poisoning of wildlife and the killing of a bald eagle. Approval of this request is recommended.

Reviewer:

(b)(6),(b)(7)(C)

SSA

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

08-08-2005

Date

Concur:

(b)(6),(b)(7)(C)

SAC/INV

8-8-05

Date

Concur:


D. Chief

Date

(b)(6),(b)(7)(C)  
R4/FWS/DOI  
08/05/2005 08:06 AM

To (b)(6),(b)(7)(C) ARL/R9/FWS/DOI@FWS  
cc (b)(6),(b)(7)(C) @fws.gov  
bcc  
Subject Re: rewards

(b)(6),(b)(7)(C) concurred, I just sent him an electronic copy of the original reward write up. meant to cc: you....  
he's got it.

(b)(6),(b)(7)(C) ARL/R9/FWS/DOI  
(b)(6),(b)(7)(C) L/R9/FWS/DOI  
08/05/2005 07:56 AM  


To (b)(6),(b)(7)(C) R4/FWS/DOI@FWS  
cc (b)(6),(b)(7)(C) fws.gov  
Subject Re: rewards

(b)(6),(b)(7)(C) sounds good to me, I'm waiting for (b)(6),(b)(7)(C) concurrence.  
(b)(6),(b)(7)(C) R4/FWS/DOI  
(b)(6),(b)(7)(C) /R4/FWS/DOI  
08/04/2005 04:22 PM

To (b)(6),(b)(7)(C) @fws.gov (b)(6),(b)(7)(C) fws.gov  
cc  
Subject rewards

I was talking with (b)(6),(b)(7)(C) this afternoon about Rewards and he advised of the recent rewards paid to 2 subjects for an MBTA case. Since MBTA has no reward provisions, they were able to pay them using the authority of the FW Enhancement Act (an interesting approach). Is it possible to use this same authority to pay our CI a reward of \$5000, rather than paying \$2500 under authority of BGEPA. You can see from our write up that our CI went way above and beyond, w/o regard for his or his family's safety.



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



DEC 5 1999

Reply Refer To:  
FWS/LE FIS 4-05

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$1,000.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-6  
USFWS - Office of Law Enforcement  
P.O. Box 25486 - DFC  
Denver, CO 80225

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer, (b)(6),(b)(7)(C) (703-358-1949).

(b)(6),(b)(7)(C)

fa

(b)(6),(b)(7)(C)

99000-6-0098  
99000-4900





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Office of Law Enforcement

134 Union Blvd.

Lakewood, CO 80228



IN REPLY REFER TO:  
FWS/LE

SEP 29 2005

### Memorandum

TO: Chief, Office of Law Enforcement

FROM: Special Agent in Charge, Region 6

SUBJECT: Request for Payment of a Reward

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2003602816

Title of Investigation:

Case Officer: SA

Reward Recommended for:

Statutory Authority for Reward: Lacey Act (LA)

Amount Requested: \$ 1,000 each

Concurrence:

*Acting*

Approved:

*ACTING*

Processed:

Attachments:

Date

Date

Date

1. The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.

(b)(6),(b)(7)(C),(b)(7)(D)

2. The INV number and the title of the case.

INV 2003602816

(b)(6),(b)(7)(C)

3. The amount of reward requested, including an explanation of how that amount was derived.

\$1,000 each. The investigating Special Agent believes this amount of money legitimately compensates (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) for their efforts and what they exposed themselves to by assisting with this investigation. In determining the amount to be paid, we considered that (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both lost income by not guiding for (b)(6),(b)(7)(C) after their contact with law enforcement. In the previous years, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) each had received payment from (b)(6),(b)(7)(C) for each hunter guided, as well as tips from the hunters themselves. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) also acted as agents of the Service, documenting the unlawful take and sale of deer with specific information such as the approximate location of where animals had been killed, the clients who had killed the deer, and verification the subject(s) knew the hunt was illegal before the deer were taken. The assistance of (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) made this medium priority case possible at personal risk and with loss of income.

4. The authority for issuing the reward.

Lacey Act, 16 U.S.C. §3375(d). Payable from the Law Enforcement Reward Account.

5. Justification statement.

(b)(6),(b)(7)(C),(b)(7)(D)

On March 3, 2003, Nebraska Conservation Officer (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) who provided evidence of (b)(6),(b)(7)(C) directing hunting clients to take deer in

violation of Nebraska state law. Mr. (b)(6),(b)(7)(C) also provided information regarding these same deer being sold and transported in interstate commerce, in violation of the Lacey Act. (b)(6),(b)(7)(C) provided specific information about unlawfully taken deer, including the location, date, and the identity of the hunter(s) involved. (b)(6),(b)(7)(C) agreed to provide testimony against (b)(6),(b)(7)(C).

On April 6, 2003, Nebraska Conservation Officer (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) who also provided evidence of (b)(6),(b)(7)(C) directing hunting clients to take deer in violation of Nebraska state law and the subsequent transport of the animals in interstate commerce, in violation of the Lacey Act. (b)(6),(b)(7)(C) also provided specific information about unlawfully taken deer, including the location, date, and identities of the hunters involved. (b)(6),(b)(7)(C) further stated that (b)(6),(b)(7)(C) had learned about the investigation and had made efforts to persuade (b)(6),(b)(7)(C) to lie to the investigators about the facts that might be used as evidence of violations. (b)(6),(b)(7)(C) agreed to provide testimony against (b)(6),(b)(7)(C).

On February 18, 2004, both (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) testified before a Federal grand jury. This testimony resulted in a three count felony indictment against (b)(6),(b)(7)(C) for felony violations of the Lacey Act.

Throughout the investigation, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) provided SA (b)(6),(b)(7)(C) with timely and accurate information. This information was critical in the development of the investigation and ultimately in gaining a guilty plea under the Lacey Act against (b)(6),(b)(7)(C). Had this information not come to light in a timely manner, the investigation would not have been initiated and the evidence and information would have been destroyed or covered up.

(ii) *The number of subjects involved.*

One subject (b)(6),(b)(7)(C)

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

One subject was indicted, and in a plea agreement he subsequently pled guilty to one count of a three count grand jury indictment. Each charge stemmed from a separate incident where (b)(6),(b)(7)(C) did knowingly engage in conduct involving the unlawful sale and transport in interstate commerce of wildlife with a value in excess of \$350, to wit; deer, knowing the deer was taken in violation of Nebraska state law and transported in interstate commerce from Nebraska, in violation of 16 USC 3373(a)(1) and 3373(d)(1)(B).

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

The defendant was ordered to pay a \$1,000 fine, plus a special assessment of \$100. Additionally, (b)(6),(b)(7)(C) was sentenced to 36 months of probation, during which time he must

participate in the Home Confinement Program under electronic monitoring for a period of six (6) months, and is prohibited from hunting, fishing or trapping, or being in the company of any one hunting, fishing or trapping, anywhere in North America. This condition specifically includes a prohibition from actively guiding anyone in the field.

(v) N/A

(vi) *If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

No known relationship to Service officers, employees, or family members of a Service employee.

(vii) *The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

\$0.00

(viii) *The name of the person who will receive the reward.*

(b)(6),(b)(7)(C)

and

(b)(6),(b)(7)(C)

(ix) None

## **6. How to Issue the Checks.**

Make check payable to the name of the reward recipient.

## **7. Where Checks Will be Mailed.**

Please mail to SAC office in Region 6





# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



DEC 5 1999

Reply Refer To:  
FWS/LE FIS 4-05

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$1,000.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-6  
USFWS - Office of Law Enforcement  
P.O. Box 25486 - DFC  
Denver, CO 80225

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer, (b)(6),(b)(7)(C) (703-358-1949).

*f* (b)(6),(b)(7)(C)

99000-6-0099  
99000-4900



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Office of Law Enforcement

134 Union Blvd.

Lakewood, CO 80228



IN REPLY REFER TO:  
FWS:LE

SEP 29 2005

### Memorandum

TO: Chief, Office of Law Enforcement

FROM: Special Agent in Charge, Region 6

SUBJECT: Request for Payment of a Reward

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2003602816

Title of Investigation:

Case Officer: SA

Reward Recommended for

Statutory Authority for Reward: Lacey Act (LA)

Amount Requested: \$ 1,000 each

Concurrence:

*Acting*

SAC, Branch of Investigations

Date

Approved:

*ACTING*

Chief, Office of Law Enforcement

Date

Processed:

Budget Officer

Date

Attachments:

1. **The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.**

(b)(6),(b)(7)(C),(b)(7)(D)

2. **The INV number and the title of the case.**

INV 2003602816

(b)(6),(b)(7)(C)

3. **The amount of reward requested, including an explanation of how that amount was derived.**

\$1,000 each - The investigating Special Agent believes this amount of money legitimately compensates (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) for their efforts and what they exposed themselves to by assisting with this investigation. In determining the amount to be paid, we considered that (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both lost income by not guiding for (b)(6),(b)(7)(C) after their contact with law enforcement. In the previous years, (b)(6),(b)(7)(C) and Tiensvold each had received payment from (b)(6),(b)(7)(C) for each hunter guided, as well as tips from the hunters themselves. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) also acted as agents of the Service, documenting the unlawful take and sale of deer with specific information such as the approximate location of where animals had been killed, the clients who had killed the deer, and verification the subject(s) knew the hunt was illegal before the deer were taken. The assistance of (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) made this medium priority case possible at personal risk and with loss of income.

4. **The authority for issuing the reward.**

Lacey Act, 16 U.S.C. §3375(d). Payable from the Law Enforcement Reward Account.

5. **Justification statement.**

(b)(6),(b)(7)(C),(b)(7)(D)

On March 3, 2003, Nebraska Conservation Officer (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) who provided evidence of (b)(6),(b)(7)(C) directing hunting clients to take deer in

(b)(6),(b)(7)(C)

violation of Nebraska state law. Mr. (b)(6),(b)(7)(C) also provided information regarding these same deer being sold and transported in interstate commerce, in violation of the Lacey Act. (b)(6),(b)(7)(C) provided specific information about unlawfully taken deer, including the location, date, and the identity of the hunter(s) involved. (b)(6),(b)(7)(C) agreed to provide testimony against (b)(6),(b)(7)(C).

On April 6, 2003, Nebraska Conservation Officer (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) who also provided evidence of (b)(6),(b)(7)(C) directing hunting clients to take deer in violation of Nebraska state law and the subsequent transport of the animals in interstate commerce, in violation of the Lacey Act. (b)(6),(b)(7)(C) also provided specific information about unlawfully taken deer, including the location, date, and identities of the hunters involved. (b)(6),(b)(7)(C) further stated that (b)(6),(b)(7)(C) had learned about the investigation and had made efforts to persuade (b)(6),(b)(7)(C) to lie to the investigators about the facts that might be used as evidence of violations. (b)(6),(b)(7)(C) agreed to provide testimony against (b)(6),(b)(7)(C).

On February 18, 2004, both (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) testified before a Federal grand jury. This testimony resulted in a three count felony indictment against (b)(6),(b)(7)(C) for felony violations of the Lacey Act.

Throughout the investigation (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) provided SA (b)(6),(b)(7)(C) with timely and accurate information. This information was critical in the development of the investigation and ultimately in gaining a guilty plea under the Lacey Act against (b)(6),(b)(7)(C). Had this information not come to light in a timely manner, the investigation would not have been initiated and the evidence and information would have been destroyed or covered up.

(ii) *The number of subjects involved.*

One subject (b)(6),(b)(7)(C)

(iii) *The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

One subject was indicted, and in a plea agreement he subsequently pled guilty to one count of a three count grand jury indictment. Each charge stemmed from a separate incident where (b)(6),(b)(7)(C) did knowingly engage in conduct involving the unlawful sale and transport in interstate commerce of wildlife with a value in excess of \$350, to wit; deer, knowing the deer was taken in violation of Nebraska state law and transported in interstate commerce from Nebraska, in violation of 16 USC 3373(a)(1) and 3373(d)(1)(B).

(iv) *The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

The defendant was ordered to pay a \$1,000 fine, plus a special assessment of \$100. Additionally (b)(6),(b)(7)(C) was sentenced to 36 months of probation, during which time he must



participate in the Home Confinement Program under electronic monitoring for a period of six (6) months, and is prohibited from hunting, fishing or trapping, or being in the company of any one hunting, fishing or trapping, anywhere in North America. This condition specifically includes a prohibition from actively guiding anyone in the field.

(v) N/A

(vi) *If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

No known relationship to Service officers, employees, or family members of a Service employee.

(vii) *The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

\$0.00

(viii) *The name of the person who will receive the reward.*

(b)(6),(b)(7)(C) and (b)(6),(b)(7)(C)

(ix) None

## 6. How to Issue the Checks.

Make check payable to the name of the reward recipient.

## 7. Where Checks Will be Mailed.

Please mail to SAC office in Region 6

## NOTES OF REVIEWER

**Action:** Request for Rewards to be Paid to Shaun Higgins and Jason Tiensvold  
**Case Number:** INV # 2003602816  
**Case Title:** (b)(6),(b)(7)(C)  
**Region:** 6

### Reviewer's Comments and Recommendations:

Region 6 is requesting authorization to give (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) each a reward of \$1000 under the authority of the Lacey Act. The attached justifications outline the assistance provided by these two individuals during the course of this investigation.

According to Region 6, the information and evidence obtained from each of these cooperating individuals was essential in reaching the successful prosecutions of the defendant in this case. The defendant was convicted in Federal court for transporting illegally taken deer in interstate commerce.

This request clearly meets the criteria set forth in LE Memo 35 and 1 LE 6.8. Approval of this request is recommended.

Reviewer: (b)(6),(b)(7)(C)  
SSA (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) 10-21-2005  
Date

Concur: (b)(6),(b)(7)(C) 10/21/2005  
Acting Date

Concur: (b)(6),(b)(7)(C) Date

Concur: (b)(6),(b)(7)(C) 10-21-2005  
ACTING D.Chief/OLE SA Date

## NOTES OF REVIEWER

Action:

Request for Rewards to be Paid to  
and

(b)(6),(b)(7)(C)

Case Number:

INV # 2003601339

Case Title:

(b)(6),(b)(7)(C)

Region:

0

### Reviewer's Comments and Recommendations:

Region 6 is requesting authorization to give

(b)(6),(b)(7)(C)

and

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) each a reward of \$500 under the authority of the Bald and Golden Eagle Protection Act. The attached justifications outline the assistance provided by each of these individuals during the course of this investigation.

According to Region 6, the information and evidence obtained from each of these cooperating individuals was essential in reaching the successful prosecutions of the defendant in this case. The defendant was convicted in Federal court for shooting a Bald eagle.

This request clearly meets the criteria set forth in LE Memo 35 and 1 LE 6.8. Approval of this request is recommended.

Reviewer:

(b)(6),(b)(7)(C)

SSA

(b)(6),(b)(7)(C)

SA

(b)(6),(b)(7)(C)

10-21-2005

Date

Concur:

(b)(6),(b)(7)(C)

10/21/2005

Date

Concur:

D.Chief/LEO

Date

Concur:

(b)(6),(b)(7)(C)

~~ACTING~~

D.Chief/LE

SA

(b)(6),(b)(7)(C)

10-21-2005

Date



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
134 Union Blvd.  
Lakewood, CO 80228



IN REPLY REFER TO:  
FWS/LE

September 29, 2005

## Memorandum

**TO:** Chief, Office of Law Enforcement  
**FROM:** Special Agent in Charge, Region  
**SUBJECT:** Request for Payment of a Reward

(b)(6), (b)(7)(C)

Pursuant to Law Enforcement Memorandum, LE-35, I request approval of payment of a reward to the following individual. Justification is attached.

INV Number: 2003601339

Title of Investigation:

(b)(6), (b)(7)(C)

Case Officer: SA

(b)(6), (b)(7)(C)

Reward Recommended for:

(b)(6), (b)(7)(C), (b)(7)(D)

Statutory Authority for Reward: Bald and Golden Eagle Protection Act (BGEPA)

Amount Requested: \$ 500 each

Concurrence:

(b)(6), (b)(7)(C)

*Acting*

SAC, Branch of Investigations

Date

*10/21/2005*

Approved:

(b)(6), (b)(7)(C)

*ACTING*

Chief, Office of Law Enforcement

Date

*10-21-2005*

Processed:

Budget Officer

Date

Attachments:



1. **The name, address, occupation, and employer (when appropriate) of the individual for whom the reward is requested.**

(b)(6),(b)(7)(C),(b)(7)(D)

2. **The INV number and the title of the case.**

INV 2003601339

(b)(6),(b)(7)(C)

3. **The amount of reward requested, including an explanation of how that amount was derived.**

\$500 each – The investigating Special Agent believes this amount of money legitimately compensates the witnesses for their efforts and what they exposed themselves to by assisting with this investigation. In determining the amount to be paid, we considered that (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) acted as an agent of the Service seeking witnesses to an eagle shooting incident from among other employees of Mr. (b)(6),(b)(7)(C) contacted the (b)(6),(b)(7)(C) determined they were in fact witnesses, and persuaded them to cooperate with the investigation. (b)(6),(b)(7)(C) was also able to corroborate testimony and identified an eagle carcass as the one (b)(6),(b)(7)(C) shot. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were both able to provide testimony about the actual taking of the eagle by (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) was able to testify that he assisted (b)(6),(b)(7)(C) in disposing of the eagle carcass.

4. **The authority for issuing the reward.**

Bald and Golden Eagle Protection Act, 16 U.S.C. §668(a). Washington Office Special Funds Account.

5. **Justification statement.**

(i) On March 7, 2003, SA (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) at his residence in (b)(6),(b)(7)(C) Nebraska, and (b)(6),(b)(7)(C) provided evidence that (b)(6),(b)(7)(C) had killed a great

horned owl in his presence. [REDACTED] took SA [REDACTED] to the spot of the violation and physical evidence was recovered.

On May 20, 2003, [REDACTED] telephoned Nebraska Conservation Officer [REDACTED] to report that he had identified two witnesses to an eagle shooting incident, and one of the witnesses had assisted in disposing of the eagle carcass.

On May 29, 2003, SA Damico and NCC [REDACTED] met with [REDACTED] at the apartment of [REDACTED] and [REDACTED]. Both [REDACTED] and [REDACTED] provided information about witnessing [REDACTED] shoot and kill a bald eagle, and [REDACTED] also provided information about disposing of the carcass with [REDACTED].

Before the investigation was concluded [REDACTED] attempted to pressure Lehmkuhl and the [REDACTED] into revealing themselves as informants. Throughout this stressful time period, under threat of potential physical harm to themselves and potential damage to their personal property [REDACTED] and [REDACTED] kept their composure while providing valuable testimony. [REDACTED] was offered a sizeable monetary incentive by Reisig to try and stop the case from going to court.

[REDACTED]

With an increasing eagle population, Nebraska has experienced an increase in eagle - gun shot incidents. A clear message has been sent to the rural Nebraska community that eagles are protected and a consequence will occur if an eagle is unlawfully taken.

*(ii) The number of subjects involved.*

One subject, [REDACTED]

*(iii) The number of subjects charged, the nature of those charges, and the results of any prosecutions.*

One subject was charged and found guilty of the charge of unlawfully taking a bald eagle, in violation of the Bald and Golden Eagle Protection Act, 16 USC 668(a).

*(iv) The total fines, jail terms, civil penalties, and forfeitures of property obtained in the case.*

The defendant was ordered to pay \$4,000 in fine and restitution, forfeiture of the shotgun used to kill the eagle, as well as being sentenced to twenty-four months of probation, during which time he is prohibited from hunting, fishing or trapping in North

America, and must participate in the Victim Awareness program.

(v) N/A

*(vi) If the proposed reward recipient has at present or has had any relationship with any Service officer, with any family member of any Service officer, or with any other person involved in the investigation or any family of such person, the details of that relationship must be provided.*

No known relationship to Service officers, employees, or family members of a Service employee.

*(vii) The total amount of compensation the individual has already received for assistance in the case, and the total amount of compensation that individual has been paid within the last fiscal year for any case.*

\$0.00

*(viii) The name of the person who will receive the reward.*

(b)(6),(b)(7)(C)

and

(b)(6),(b)(7)(C)

(ix) None

**6. How to Issue the Checks.**

Make checks payable to the name of the reward recipient.

**7. Where Checks Will be Mailed.**

Please mail to SAC office in Region 6



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Office of Law Enforcement  
4401 N. Fairfax Drive (LE-3000)  
Arlington, VA 22203



JAN 9 2006

Reply Refer To:  
FWS/LE FIS 4-05

## MEMORANDUM:

TO: Chief, Finance Center

FROM: Chief, Office of Law Enforcement

SUBJECT: Payment of Reward from the LE Reward Account

This authorizes your payment of a reward from the LE Reward Account (14x1611) – Payment of Rewards in accordance with legislative authority as provided by the Lacey Act Amendments of 1981.

I have approved the issuance of a \$2,500.00 reward to (b)(6),(b)(7)(C) Please issue a check payable to him in the amount specified. The check should be forwarded to:

Special Agent In Charge R-2  
USFWS - Office of Law Enforcement  
P.O. Box 329  
Albuquerque, New Mexico 87103

Your assistance is appreciated. Please refer any questions you may have to the Administrative Officer, (b)(6),(b)(7)(C) (703-358-1949).

(b)(6),(b)(7)(C)

*A*

99000-6-0120  
99000-4900



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Office of Law Enforcement  
500 Gold Avenue SW, Room 9021  
Albuquerque, New Mexico 87102  
(505)248-7889

November 22, 2005

In Reply Refer To:  
FWS/INV 2003201205

### Memorandum

To: Chief, Office of Law Enforcement  
From: Special Agent in Charge, Region 2  
Subject: Request for Payment of Reward

In accordance with I.E. Memorandum 35, I request approval of payment of a reward(s) to the following individual(s). Complete justification is attached.

INV Number: 2003201205

Title of Investigation: \_\_\_\_\_

Case Officer: \_\_\_\_\_

Reward Recommended for: \_\_\_\_\_

Statutory Authority for Reward: (circle one) AECA ARPA BGEPA ESA LAC MMPA RTCA

Amount Requested: \$ 2,500.00

Concurrence \_\_\_\_\_

Approved \_\_\_\_\_

Processed: \_\_\_\_\_

(b)(6),(b)(7)(C)  
SAC, Branch of Investigations

(b)(6),(b)(7)(C)  
Acting \_\_\_\_\_ Enforcement

(b)(6),(b)(7)(C)  
\_\_\_\_\_

Date

Date

Date

11/30/05

12/2/2005

12/7/05

Attachments



(b)(6),(b)(7)(C),(b)(7)(D)

In February 2003, (b)(6),(b)(7)(C) voluntarily provided information to the U.S. Fish and Wildlife Service, Office of Law Enforcement regarding the unlawful take and subsequent sale and/or trade of protected native Arizona reptiles, that is, Gila monsters (*Heloderma suspectum* sp.) in interstate commerce. The subject was identified as (b)(6),(b)(7)(C),(b)(7)(D) (b)(6),(b)(7)(C),(b)(7)(D) Arizona. (b)(6),(b)(7)(C) replied to a post by Ultimate Reptiles U.S.A. on Kingsnake.com, offering to trade one (1) Gila monster for one (1) Crocodile monitor lizard (*Varanus salvadorii*), knowing the value of the monitor lizard was \$1,000.00. With the assistance of (b)(6),(b)(7)(C) the Service arranged for the purchase of three (3) Gila monsters from (b)(6),(b)(7)(C) in interstate commerce (Arizona to California). A fourth Gila monster was shipped to Mr. (b)(6),(b)(7)(C) via the United Postal Service (UPS) and was falsely labeled by (b)(6),(b)(7)(C) in order to conceal the contents of the package.

Resulting from the investigation, a five (5) count felony Indictment charging (b)(6),(b)(7)(C) with the illegal sale and possession of wildlife taken in violation of State law; and false labeling of wildlife was filed on August, 25, 2004.

On December 2, 2004, the subject entered into a plea agreement. (b)(6),(b)(7)(C) agreed to plead guilty to two (2) felony counts of the Lacey Act for the illegal possession and sale of wildlife, that is, one (1) Gila monster, taken in violation of State law; and false labeling of wildlife, that is, one (1) package shipped via UPS from Arizona to California that contained one (1) live Gila monster.

On February 10, 2005 (b)(6),(b)(7)(C) was sentenced in Federal District Court, Tucson, Arizona. (b)(6),(b)(7)(C) was sentenced to 36 months supervised probation on counts 3 and 4 of the Indictment to run concurrent; ordered to pay restitution in the amount of \$500.00 to the Arizona Game and Fish Department Theft Prevention Fund; ordered to pay \$200.00 special assessment to the court; and forfeited all wildlife, that is, four (4) Gila monsters to the Service. As part of his probation conditions, (b)(6),(b)(7)(C) must first get approval from his Probation Officer (PO) prior to acquiring any additional animals/reptiles, and he must allow Service agents to accompany the PO during random searches.

Mr. (b)(6),(b)(7)(C) played an instrumental role in the investigation by initiating the first contact with the subject of investigation, (b)(6),(b)(7)(C). Information gathered during this first contact was provided to a Service agent who confirmed that felony Lacey Act violations were being committed by (b)(6),(b)(7)(C). With the guidance of a Service agent, Mr. (b)(6),(b)(7)(C) conducted unlawful transactions with (b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F)

(b)(6),(b)(7)(C),(b)(7)(D),(b)(7)(F)

Request for Payment of Reward  
November 22, 2005

WOJNAR, Michael Alan  
FWS/INV 2003201205

It is requested that a reward in the amount of \$2,500.00 be paid to Mr. [REDACTED] from the Lacey Act Reward Account, as the subject [REDACTED] was convicted of violating the Lacey Act. Please consider this request, and if approved, please forward a check made out to [REDACTED] to the SAC, Region 2 where coordination for delivery to the recipient will be made.

## NOTES TO REVIEWER

**Action:** Request for Payment of a Reward  
**Case Number:** INV: 2003201205  
**Case Title:** (b)(6),(b)(7)(C)  
**Region:** R-2

**Reviewer's Comments and Recommendations:** Senior Special Agent (b)(6),(b)(7)(C) reviewed the accompanying Request for Payment of Reward to (b)(6),(b)(7)(C). The amount requested is \$2,500 payable from the Law Enforcement Reward Account. The reward is justified and conforms to the requirements under LE Memo 35.

This request outlines (b)(6),(b)(7)(C) valuable role which led to a five-count felony indictment, finding the defendant guilty of the illegal sale and possession of wildlife taken in violation of state law and false labeling to conceal wildlife. The defendant signed a plea agreement pleading guilty to two felony counts of the Lacey Act. The defendant was sentenced in Federal District Court in Arizona to 36 months supervised probation for counts 3 and 4 of the Indictment to run concurrent, pay \$500.00 restitution to the Arizona Game and Fish Department Theft Prevention Fund, and \$200.00 special assessment to the court.

**Case Management Review:** Senior Special Agent (b)(6),(b)(7)(C) reviewed the case and found no issues or concerns.

Reviewer:

(b)(6),(b)(7)(C)  
SSA (b)(6),(b)(7)(C)

12/7/05  
Date

Concur:

(b)(6),(b)(7)(C)  
SAC/INV

12/7/05  
Date

Concur:

(b)(6),(b)(7)(C)

12/7/05  
Date

Concur:

(b)(6),(b)(7)(C)

12/7/2005  
Date

Status: Pending

Total Reports: 5

Last: 11/21/2005

Red Label - required for save

Modified History for This Case - Click [Here](#)

Blue Label - required for close

Reviewed History for This Case - Click [Here](#)

Case Number: 2003201205 Case Title: (b)(6),(b)(7)(C)  
Active Region: 2 Date Case Opened: 03/03/2003 Date(s) Case Reopened: 11/21/2005  
Sensitive: No WO Monitor: No  
Case Priority Level: High

**Where are the OLE Strategic Planning fields?**

Please note that you are only required to enter OLE Strategic Planning data for cases opened on, or after, 10/1/2004. This case was opened prior to that date, so you are not required to track this information.

**Case Officer Information**

Officer (last, first, badge, start-date): (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) 03/03/2003 To Present Change

**Special Funds Information**

Amount Authorized: \$2500.00 Date Authorized: 06/06/2003 Total Used: \$1919.12 Total Available: \$580.88  
Voucher: 0546-4-4 - \$19.12 - 07/14/2003 Add Voucher

**Case Distribution List**

Officer (last, first - badge): (b)(6),(b)(7)(C) Add/Edit Off. Info.

**Native American Prosecution**

Date of Request: Date of Approval: First: Last:

**Consensual Monitoring**

Date of Request: Date of Approval: Start Date: Expiration Date:

**Covert Action**

Covert Level: Date of Request: Date of Approval: Expiration Date:

**Mail Cover Status**

Date of Request: Date of Approval:

**Pen Register Status**

Date of Request: Date of Approval: Expiration Date:

**Case Closed By (Cases must be closed from the last case report)**

Officer (last, first - badge): This case is open

**Case Info Remarks**

On 03/11/03, POE funds in the amount of \$1,000.00 were approved and forwarded to SA (b)(6),(b)(7)(C). A total of \$900.00 was used for the case, and the remaining \$100.00 balance was returned to the RO on 04/15/03 as per the request of the ASAC.

# Detailed Review of Case 2003201205

Case Status: *P*

Case Information [Refresh](#)

## Case Reports (5):

2003201205R001 Status: P Approval: *Approved - 11/21/2005*  
2003201205R002 Status: P Approval: *Approved - 11/21/2005*  
2003201205R003 Status: P Approval: *Approved - 11/21/2005*  
2003201205R004 Status: P Approval: *Approved - 11/21/2005*  
2003201205R005 Status: RC Approval: *Approved - 11/21/2005*

[Add New Report](#)

## Violation Records (2) - [View Detailed List](#) :

2003201205V001 Adjudicated: 02/10/2005  
2003201205V002 Adjudicated: 02/10/2005

[Adjudication Summary: Sentencing/Resource Impact](#)

[Add New Violation](#)

## Property Records (10) - [View Detailed List](#) :

2003201205P001 Disposed: 05/05/2005  
2003201205P002 Disposed: 05/05/2005  
2003201205P003 Disposed: 05/05/2005  
2003201205P004 Disposed: 05/10/2005  
2003201205P005 Disposed: 09/08/2005  
2003201205P006 Disposed: 12/10/2003  
2003201205P007 Disposed: 05/25/2005  
2003201205P008 Disposed: 05/25/2005  
2003201205P009 Disposed: 05/25/2005  
2003201205P010 Disposed: 05/25/2005

[Add New Property](#)

## Case IIDs (1):

P248153 Name:

(b)(6),(b)(7)(C)

[Refused Clearance \(Not Applicable\):](#)

[Case Leads \(Not Applicable\) :](#)

[Form 3-332 Attachments \(Not Applicable\):](#)

[Officer Remarks Attachments \(Not Applicable\):](#)

[Case Closure Report](#)

[Case Summary Report \(\*print view\*\)](#)

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