

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
Karen P. Hewitt***

For Further Information, Contact: Assistant U. S. Attorney Mitch Dembin, 619-557-5558

For Immediate Release

NEWS RELEASE SUMMARY - March 10, 2008

United States Attorney Karen P. Hewitt announced the unsealing of an indictment and arrest of Kent Douglas Trego of La Jolla for threatening a volunteer of the Animal Protection and Rescue League (“APRL”). The sealed indictment was returned by a federal grand jury sitting in San Diego on March 4, 2008, and unsealed upon Mr. Trego’s arraignment today before United States Magistrate Judge Louisa S. Porter. Mr. Trego was arrested on March 7, 2008, pursuant to a bench warrant issued in connection with the indictment. Mr. Trego was charged with one count of threatening to retaliate against a federal witness and two counts of transmitting threats in interstate commerce.

According to Assistant U. S. Attorney Mitch Dembin, who is prosecuting the case, the threat that forms the basis for Counts 1 and 2 of the indictment stems from an incident that occurred at the La Jolla Children’s Pool on September 22, 2007. On that date, an APRL volunteer videotaped two scuba divers walk between two groups of resting harbor seals to enter the water. As the divers walked toward the water,

approximately 18 of the approximately 50 resting seals “flushed” from the beach and entered the water. The volunteer obtained the license plate number of the vehicle in which the divers arrived and reported the matter to the National Oceanic and Atmospheric Administration (“NOAA”) hotline. After reviewing the video and conducting an investigation, agents of NOAA and the United States Fish and Wildlife Service identified the two divers and issued a violation notice to each. The divers were charged with violating the Marine Mammal Protection Act for harassing the harbor seals. One diver was served on December 31, 2007, and the second on January 11, 2008.

According to court documents, on January 12, 2008, the APRL received an electronic mail from a “Biker Bobbie” using the electronic mail account “ deathtosealwatch@yahoo.com .” The email stated as follows (although the identity of the targeted volunteer is removed):

Two divers who used the Children’s Pool in September have been cited by federal wildlife marshalls [sic] for disturbing the seals. [Witness] was apparently the one who turned them in.

The problem now is that revenge will be taken out on [witness]. Many of the local divers have close friends in the California motorcycle clubs. As is this case, motorcycle club members have been contacted about [witness] and she will be dealt with very harshly, if not killed.

The APRL reported the threatening communication to federal authorities.

A joint investigation conducted by NOAA, the U.S. Fish and Wildlife Service, the University of California - San Diego (UCSD) Police and the Federal Bureau of Investigation identified Mr. Trego as the source of the threatening communication. According to AUSA Dembin, Mr. Trego was with the divers and captured on videotape on September 22, 2007, and was reported to have confronted the volunteer when the volunteer recorded the license plate of the divers’ vehicle. Login records for the “deathtosealwatch” email account were obtained and compared with login records for the personal electronic mail account of Mr. Trego. Those records revealed that the logins to the “deathtosealwatch” account often were sandwiched between logins to Mr. Trego’s personal account, sometimes from the same machine and often with very little time

between logins. As for Count 3, another threatening communication directed at the APRL was discovered during the investigation originating from the same account on the day that the account was created, December 1, 2007.

This case was investigated by Special Agents of the United States Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, UCSD Police and the Violent Crime and Cybercrime Squads of the San Diego Division of the Federal Bureau of Investigation.

A detention hearing will be held before United States Magistrate Judge Louisa S. Porter on March 12, 2008. Mr. Trego also was ordered to appear on April 28, 2008, before the Honorable Roger T. Benitez, United States District Judge for motion setting.

DEFENDANT

Case Number: 08cr0618-BEN

Kent Douglas Trego

SUMMARY OF CHARGE

Count 1 - Title 18, United States Code, Section 1513(b)(2) - Threatening a Federal Witness
Maximum Penalty: 10 years' imprisonment and \$250,000 fine per count

Counts 2 and 3 - Title 18, United States Code, Section 875(c) - Transmitting Threats in Interstate Commerce
Maximum Penalty: 5 years' imprisonment and \$250,000 fine per count

AGENCIES

U. S. Fish and Wildlife Service
Federal Bureau of Investigation
National Oceanic and Atmospheric Administration
University of California San Diego Police Department

An indictment itself is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.