



U.S. Department of Justice

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TEXAS MAN PLEADS GUILTY TO ILLEGALLY TRANSPORTING ELK FROM WISCONSIN TO OGLE COUNTY ILLINOIS

ROCKFORD – PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois; Tom Melius, Midwest Regional Director U.S. Fish and Wildlife Service; and Sam Flood, Director of the Illinois Department of Natural Resources, today made the following announcement:

ROBERT S. JOHNSON, 55, of Kerrville, TX, pled guilty today in Rockford federal court for the illegal interstate transportation of elk from Wisconsin to Illinois in March 2005. Johnson transported elk from a farm he owned in Wisconsin to a family farm in Ogle County, Illinois, without having the elk tested for communicable diseases including chronic wasting disease (“CWD”) as required by Illinois regulations.

In pleading guilty, Johnson admitted that on March 18, 2005, he transported 11 elk in interstate commerce in violation of federal laws. Specifically, between April 2003 and December 2005, Johnson operated “Hard Rock Game Farms” on two farms and raised elk for sale in interstate commerce. One of the farms was located in Gays Mills, Wisconsin. The other farm was owned by Johnson’s mother and was located in Leaf River, Illinois. In March 2005, the United States had laws in effect regulating the movement and sale of elk in interstate commerce due to the presence of CWD. CWD results in a slow wasting away of the animal and is always fatal in deer and elk. Federal regulations also required that in order to import elk into Illinois, an Illinois Department of Agriculture permit be obtained, as well as a veterinary inspection certificate proving the elk were tested and did not have tuberculosis (“TB”) or brucellosis. A veterinary certificate was not required if the elk were imported into Illinois for immediate slaughter.

According to the plea agreement, Johnson admitted that on March 18, 2005 he called the Illinois Department of Agriculture and requested a permit to move bull (male) elk from the Wisconsin farm to a meat processing company in Seward, Illinois. Johnson admitted that he did not take any blood samples from the elk for testing and did not obtain a veterinary certificate of inspection stating that the elk were free of TB and other diseases prior to transporting the elk from Wisconsin to Illinois as required. Johnson admitted he then transported the elk to the Leaf River family farm rather than the meat processing company in Seward. He solicited other individuals to “hunt” the elk within a fenced in area on the farm in Leaf River in exchange for approximately \$2,000 to \$2,500. As further stated in the plea agreement, on separate occasions

in October and November 2005, Johnson agreed to trade firearms in exchange for hunting elk to two separate out-of-state individuals. In each case, Johnson allowed a “hunter” to shoot and kill an elk, after which the hunter loaded the elk on a truck and transported it back to their home state of Indiana where the elk was butchered. Johnson admitted that this also violated Illinois law because Johnson failed to obtain a permit from the State of Illinois to operate an exotic game farm.

Sentencing for Johnson is scheduled for February 19, 2009, at 9:00 a.m. Johnson faces a maximum potential sentence of 5 years in prison, a fine of up to \$250,000, and a term of supervised release of up to three years following imprisonment. Any fine imposed on Johnson will be paid into the Cooperative Endangered Species Fund, also known as the Lacey Act reward account. The actual sentence will be determined by United States District Court Judge Philip G. Reinhard, guided by the United States Sentencing Guidelines.

The case was investigated by the U.S. Fish and Wildlife Service and the Illinois Department of Natural Resources, with the assistance of the Wisconsin Department of Natural Resources. The case is being prosecuted in federal court by Assistant United States Attorney Joseph C. Pedersen.

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