

YOU BE THE JUDGE
Press Releases
Student Handouts

Press Release #1 issued by the National Park Service (June 30, 2000)

Men Found Guilty of Hunting Antlers and Wildlife in Yellowstone

Yellowstone National Park Superintendent Michael Finley announced that on June 26, 2000, three men from Utah pled guilty before U.S. Magistrate Judge Stephen E. Cole in Mammoth Hot Springs to hunting elk antlers and capturing and attempting to remove a mule deer fawn from the park.

On June 25, 2000, a park researcher observed and reported two men carrying elk antlers near Slough Creek Campground in the park. When contacted by park rangers, the three individuals were in possession of 34 pounds of elk antlers and had cached over 300 pounds of antlers for future removal. They were arrested for possession of natural features. It was later discovered they had also captured and removed a mule deer fawn from the backcountry and concealed it within their vehicle. All three cooperated with rangers during the investigation and admitted to their actions.

Each individual was ordered to pay \$2,000 restitution to the park, assessed \$10 to the victim/witness fund, and placed on probation for three years. During their probation, they are prohibited from entering Yellowstone National Park.

The fawn was in human possession about 20 hours before rangers released it into the area from which it was captured. While possible, it is not expected to survive.

Superintendent Finley reminds all park visitors that disturbing, collection, and/or removal of natural features from national parks is prohibited by law and subject to fine and/or jail time. Anyone who has information regarding poaching in Yellowstone is encouraged to call park headquarters at (307) 344-7381.

Press Release #2 issued by the National Park Service (July 15, 1997)

Violation of Park Laws Gets Montana Man Fined and Placed on Probation

Yellowstone National Park Superintendent Michael Finley announced today that a Montana resident pled guilty on April 24, 1997, to illegally taking a bull elk, possession of an elk head with rack and two molted elk antlers, possession of a firearm, conducting business operations without a permit, and transportation of game without a permit.

In a plea agreement signed last week, he agreed to pay \$3,000 restitution to the park, was assessed \$10 to the victim/witness fund, and placed on probation for three years. During his probation, he is prohibited from entering the park.

In February 1994, The U.S. Forest Service initiated an investigation on this same individual for illegally guiding and outfitting on National Forest Land. After a two-year investigation, he was found guilty and ordered to pay fines and restitution of \$9,000. Information from the 1995 fall investigation and observations by park rangers during the fall of 1996 initiated the charges.

Superintendent Finley reminds all park visitors that removing animal parts, possession of firearms in the backcountry, and conducting business operations in the park without a permit is prohibited by law and subject to a fine and/or jail. Anyone who has information regarding poaching or other illegal operations in Yellowstone is encouraged to contact park headquarters at (307) 344-7381.

Press Release #3 Issued by the National Park Service (October 20, 1999)
Visitors Found Guilty for Removing Natural Features from Yellowstone National Park

Yellowstone National Park Superintendent Michael Finley announced that three young people, ages 19 through 21, of Ohio pled guilty on October 13, 1999, before U.S. Magistrate Judge Stephen E. Cole in Mammoth Hot Springs to the charge of removing natural features from the park. The persons had dug up and collected over 150 pieces of petrified wood around the Petrified Tree, about three miles west of Tower Junction.

On October 8, Tower rangers received two reports from park visitors of two men and one woman digging in the ground with a screwdriver on the slope above the petrified tree. A park ranger responded to the area and saw two of the people digging in the area. The ranger contacted the third person at one of the two vehicles the group was traveling in. The investigation uncovered one bag of about one hundred small pieces of petrified wood in one of the vehicles, and a large number of pieces of petrified wood in a small backpack. Several other mineral specimens and fossils were also found in the car. One of the men said he had taken pieces of travertine and geyserite from one of the thermal areas earlier in the day but denied finding the fossils and other minerals in the park. All of the specimens were seized and will be returned to their natural state if possible.

Each individual was fined \$750, placed on three years probation, and prohibited from entering the park for three years.

Superintendent Finley reminds all park visitors that disturbing, collecting, and/or removal of natural features from national parks is prohibited by law and subject to fine and/or jail time. Anyone who has information regarding these activities in Yellowstone National Park is encouraged to call park headquarters at (307) 344-7381.

Press Release #4 Issued by the National Park Service (August 4, 1992)
Man Sentenced for Collecting Mushrooms in Yellowstone National Park

Yellowstone National Park Superintendent Robert Barbee announced that on July 30, 1992, a man from the state of Washington pled guilty before U.S. Magistrate Stephen Cole in Mammoth Hot Springs, Wyoming, for possession and removal of a natural resource and for operating a motor vehicle on park roads without a valid driver's license.

The man was arrested by park rangers on July 25, 1992, at the Buffalo Ford picnic area for possession of a large quantity of both fresh and dried mushrooms. He was observed for over a week before his arrest harvesting mushrooms in the park for commercial purposes; the market price for fresh mushrooms is \$5-6 a pound and \$16 a pound for dried mushrooms. The man was fined \$200 for the natural resources violation and \$100 for driving with a suspended driver's license. He has been placed on probation for two years, and he is banned from entering the park for the next two years.

Superintendent Barbee reminds all park visitors that possession and/or removal of a natural, cultural, and archeological resource from a national park is prohibited by law and subject to fine.

Press Release #5 Issued by the National Park Service (June 3, 1994)
Two Men Charged for Illegally Killing an Antelope inside Yellowstone National Park

On June 1, 1994, two men from Montana appeared in U.S. Judge Stephen Cole's court in Yellowstone National Park. Both men were found guilty of killing a pronghorn in the park near Gardiner.

The defendants were each fined \$1,500, placed on three years' probation, and prohibited from entering Yellowstone for three years. The Park Service is also seeking the forfeiture of the vehicle the men used when they killed the animal.

On October 20, 1993, at about 4:15 p.m., two park visitors from Livingston, Montana, were driving on the Stephen's Creek road north of Gardiner. About 1 1/2 miles north of town they saw a man drag a dead antelope out of sight, while another man waited in a vehicle parked on the side of the road. The visitors recorded the license plate number and reported the incident to park employees nearby.

Mammoth rangers responded and found a dead buck pronghorn in a small depression about 60 feet off the road. Further investigation showed that the animal had been killed by a broadhead arrow. Rangers were not able to contact the men until the next day. Both men denied knowing anything about how the animal was killed.

During the trial, a witness positively identified both men as being involved in the incident. Judge Cole found that the evidence supported the charge and found both men guilty.

Superintendent Barbee reminds all park visitors that it is illegal to hunt within the park. Anyone contacted inside the park with a dead or wounded animal, in possession of a firearm, or suspected of removing an animal from inside the park will be charged under Federal law. Violators are subject to fines, the confiscation of equipment, and possible prison sentence.

Press Release #6 Issued by the National Park Service (September 27, 1999)
Hunter Found Guilty for Illegally Killing Elk Inside Yellowstone Park

Yellowstone National Park Superintendent Michael Finley announced that a 23-year-old hunter from Idaho pled guilty on September 26, 1999, before U.S. Magistrate Judge Stephen Cole in Mammoth Hot Springs to three charges: illegal hunting and killing of a wild animal; possession of an illegal weapon; and interference with a law enforcement officer.

Shortly after 6 p.m. on September 25, an off-duty park ranger discovered a man in the woods near Norris Junction with a bow and quiver of arrows. The ranger instructed the man to return to the roadway with him. Upon their arrival at the roadway, the man got into a private vehicle—against the instruction of the ranger—and fled the scene. The ranger notified the park's Communication Center, and the man was apprehended and arrested by park rangers in the Madison area. The man's bow, arrows, and other hunting equipment were confiscated. An investigation determined that he had killed a bull elk near the area where he had initially been contacted; the bull elk appeared to have been shot by four arrows.

The man was sentenced to 90 days in jail with 60 days suspended, ordered to pay \$3,260 restitution to the park, and placed on supervised probation for three years. During his probation, he is prohibited from entering Yellowstone National Park.

Superintendent Finley reminds the public that hunting is not permitted within the boundaries of Yellowstone National Park. Hunters are reminded that the possession of any weapon within the backcountry of the park is prohibited. Anyone contacted inside the park with a dead or wounded animal, in possession of a loaded weapon, or suspected of removing an animal from inside the park will be charged under federal law. Violators are subject to fines, the confiscation of equipment, and possible prison sentences.

Press Release #7 Issued by the National Park Service (May 7, 1999)

Men Found Guilty for Collecting Elk Antlers in Yellowstone National Park

Yellowstone National Park Superintendent Michael Finley announced that two men from Montana pled guilty on May 3, 1999, before U.S. Magistrate Judge Stephen Cole in Mammoth Hot Springs to the charge of collecting and removing elk antlers from the park.

On May 1, 1999, park rangers became aware of suspicious activities by two men and began an investigation on the two for collecting elk antlers within the park. The two subsequently were arrested for possession of 108 pounds of elk antlers. They had also cached an additional 150 pounds of antlers in the Yellowstone backcountry for removal at a later date. Both men cooperated with rangers during the investigation and admitted their guilt.

One man was ordered to pay \$1,750 restitution to the park, assessed \$10 to the victim/witness fund, and placed on probation for five years. The other man was ordered to pay \$800 restitution to the park, assessed \$10 to the victim/witness fund, and placed on probation for three years. During their probation, both men are prohibited from entering Yellowstone National Park.

Superintendent Finley reminds all park visitors that disturbing, collecting, and/or removal of natural features from national parks is prohibited by law and subject to fine and/or jail time. Anyone who has information regarding poaching in Yellowstone National Park is encouraged to call park headquarters at (307) 344-7381.

Press Release #8 Issued by the National Park Service (February 18, 1997) **Reward Money Presentation Announced**

Yellowstone National Park Superintendent Michael Finley is pleased to announce that the park presented a \$7,500 reward to a Utah man for information leading to the arrest and conviction of the man who killed and removed the antlers from the carcass of a well-known and celebrated elk in Yellowstone National Park.

A 24-year-old man of Utah was convicted in U.S. District Court in Cheyenne, Wyoming, on April 3, 1995, of misdemeanor poaching and felony witness tampering. He was fined \$20,000; ordered to pay Yellowstone \$10,000 restitution; forfeited the rifle used to kill the elk; sentenced to eight months in prison and three years supervised probation; and prohibited from owning firearms.

This man killed a large 8 by 6 point bull elk known as "Charger" in Elk Park, near Norris Junction, late in the evening of September 18, 1993. He hacked out the animal's skull cap and antlers and left the carcass on the bank of the Gibbon River. The animal was discovered by photographers early the next morning.

A nationwide search and interagency investigation focused on this particular individual when a taxidermist in Utah contacted Yellowstone National Park investigators after the individual in question took the elk rack into the taxidermist's shop to have it mounted. He recognized the antlers from an article in Rocky Mountain Elk Foundation's "Bugle" magazine. The individual later attempted to bribe his companion to take responsibility for killing the animal.

Most of the reward money was from the court-ordered restitution paid by the convicted man; the remaining money was donated to the park by several organizations and private persons.

Superintendent Finley expressed his appreciation for each person who contributed either money or information which led to the successful resolution and prosecution of this crime. He noted, "Although the fines levied by the district court will not compensate for the loss of this magnificent animal, the penalty and large reward will be a deterrent to other persons who may be tempted to illegally hunt inside Yellowstone National Park."

Press Release #9 Issued by Yellowstone National Park (October 23, 2002)
Reward Offered for Information on Poaching Incident in Yellowstone National Park

Yellowstone National Park Superintendent Suzanne Lewis announced today that a reward of up to \$500 is being offered for information leading to the arrest and conviction of the person or persons responsible for illegally killing an elk on October 19 inside Yellowstone National Park. While investigators appreciate the assistance from the public to date, and are following up on numerous leads, more information and help are needed.

Park rangers discovered the elk carcass inside the park on Saturday, October 19, and believe it was killed earlier that morning.

The public is reminded that hunting is not permitted within the boundaries of Yellowstone National Park and that shooting and taking of wildlife inside any park area is a criminal offense. Most cases involving shooting wildlife (including elk) illegally inside Yellowstone National Park are violations of the Lacey Act and carry penalties of up to five years in jail and up to \$20,000 in fines as well as confiscation of equipment.

Superintendent Lewis urges individuals with any information regarding this incident to contact park headquarters at (307) 344-2172 or (307) 344-2122.

Press Release #10 Issued by Yellowstone National Park (February 4, 2003)
Four Convicted for Removing Natural Features from Yellowstone National Park

Three individuals have pled guilty in three separate incidents to violations under the Archeological Resources Protection Act (ARPA).

The first incident occurred on August 3, 2002, when park rangers were contacted by a National Park Service research pilot about a vehicle that had been observed hundreds of yards off-road near the north boundary of Yellowstone National Park. When park rangers located the two vehicle occupants and escorted them back to the scene, they discovered hundreds of pounds of rocks, plants, wood, and several archeological artifacts in plain view through the back window. The driver, a 52-year-old male, initially insisted the materials came from western Montana. When confronted with the facts that he was in possession of a Yellowstone elk antler previously marked by park staff and that his off-road vehicle tracks lead directly to multiple fresh holes in the ground that appeared to be missing some of the same rocks and artifacts that were in his vehicle, he admitted to collecting many of the items in the park. He had approximately 150 mineral, archeological, and plant items weighing approximately 150 pounds. On January 7, 2003, he entered a guilty plea before U.S. Magistrate Judge Stephen E. Cole in Mammoth Hot Springs on one misdemeanor ARPA count and multiple 36 Code of Federal Regulations (CFR) counts including possessing/disturbing plants, possessing/disturbing mineral resources, possessing wood, and off-road travel. He was sentenced to two years probation, banned from entering Yellowstone National Park for five years, and ordered to pay \$150 in fines and \$1,000 in restitution. The second occupant, a 49-year-old female, was cited and released for possession of an elk antler.

Increased patrol efforts along the north boundary made two additional ARPA cases in the same area within two months. On September 1, 2002, a 36-year-old male was charged with a

misdemeanor ARPA violation and a CFR mineral resource violation after he was contacted by a park ranger while in possession of 100 mineral items and archeological artifacts. On September 25, 2002, the man pled guilty to both charges before U.S. Magistrate Judge Cole and was sentenced to one-year probation and ordered to pay \$200 in fines and \$900 in restitution.

On September 15, 2002, a 46-year-old female was charged with a misdemeanor ARPA violation and a CFR mineral resource violation when a ranger contacted her while in possession of 227 mineral items and archeological artifacts. The woman pled guilty to both charges before U.S. Magistrate Judge Cole on September 17, 2002, and was sentenced to one year of probation and ordered to pay \$700 in fines and \$700 in restitution.

The last incident occurred on August 25, 2002, along the park's west boundary. A park ranger observed a 51-year-old female collecting archeological artifacts. On November 13, 2002, she pled guilty before U.S. Magistrate Judge Cole for two misdemeanor ARPA violations. She was sentenced to one year of probation and ordered to pay \$600 in restitution.

Park visitors are reminded that disturbing, collecting, and/or removal of natural features from national parks is prohibited by law and subject to fine and/or jail time. Anyone who has information regarding these types of activities in Yellowstone National Park is encouraged to call park headquarters at (307) 344-7381.

Press Release #11 Issued by Yellowstone National Park (March 20, 2003)
Multiple Snowmobilers Arrested in Closed Areas

Yellowstone National Park Superintendent Suzanne Lewis announced today that over the past three weeks 12 individuals were arrested by Gallatin Sub-District Rangers along the western boundary of Yellowstone National Park south of West Yellowstone, Montana, for riding snowmobiles inside closed and roadless areas of the park. Rangers booked the arrested individuals at the West Yellowstone Police Department Jail on charges of snowmobile use in undesignated area and regulatory sign violations. All were subsequently released on bond set by U.S. Magistrate Judge Stephen E. Cole pending mandatory court appearances. One group was found by park rangers 5.5 miles inside the park.

During the same three-week period, nine other people were issued mandatory appearance citations for snowmobile use in undesignated areas after being discovered a short distance inside the park where the park boundary may be less clearly marked.

Subsequent investigation has shown resource damage inside the park caused by some of the violators running snowmobiles over the tops of trees and new vegetation; additional charges are pending in some of these cases.

Increased patrol efforts along the western boundary were initiated after rangers noticed an increasing pattern of illegal snowmobile use in that area over the last several years. Last year 12 individuals were cited for illegal use of snowmobiles inside Yellowstone's western boundary.

Yellowstone's Gallatin Sub-District rangers have logged 4,000 patrol miles along the western boundary since January 1, 2003, in a specific effort to target illegal snowmobile use in

Yellowstone's backcountry. In addition, Superintendent Lewis has authorized the use of aircraft to assist the rangers on the ground in combating this increasing problem.

Superintendent Lewis wishes to remind all Yellowstone area visitors that snowmobile use is allowed only during a specified winter season on designated groomed roadways inside the park. Those people who are involved in illegal activities either by off-road travel during the winter season or traveling by snowmobile in Yellowstone's backcountry areas at any time will be prosecuted to the full extent of the law.