



# NEWS RELEASE

**KAREN L. LOEFFLER  
UNITED STATES ATTORNEY  
DISTRICT OF ALASKA**

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Federal Building & U.S. Courthouse • 222 W. 7th Avenue • Room 253 • Anchorage, AK 99513 • (907) 271-5071

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**FOR IMMEDIATE RELEASE**  
**Wednesday, April 22, 2009**

**09-043**

**SOUTHEAST ALASKA RESIDENT INDICTED BY FEDERAL GRAND JURY  
ON CHARGES RELATING TO VIOLATIONS OF THE LACEY ACT**

Anchorage, Alaska – United States Attorney Karen L. Loeffler announced today, April 22, 2009, that Douglas L. Smith, a resident of Craig, Alaska, was indicted by the federal grand jury on one count of conspiracy to violate the Lacey Act, one count of attempting to violate the Lacey Act, and one count of violating the Lacey Act.

The three-count indictment charges Smith, age 31, as the sole defendant.

The indictment charges Smith with three counts relating to the illegal killing and attempted illegal sale of sea otters and a the illegal sale of a Steller Sea Lion hide in 2007. The Steller Sea Lion is on the Endangered Species list in Southeast Alaska and is currently listed as a threatened species.

The indictment alleges that beginning in July 2007, and continuing through October 2008, Smith conspired with an unnamed co-conspirator in an illegal scheme to unlawfully harvest sea otters in order to sell their hides. It is alleged that Smith agreed to permit the unnamed co-conspirator to use his boat for the illegal killing of sea otters. In exchange for permitting the co-conspirator to use his boat, Smith would get a percentage of profits from the subsequent sale of the sea otter hides by his co-conspirator. The indictment alleges that neither Smith nor the co-conspirator were Alaskan Natives, which, under the Marine Mammal Protection Act, prohibited them hunting or killing sea otters. The Marine Mammal Protection Act also prohibits non-Alaskan Natives from possessing any non-authentic Native handicraft made from marine mammals or their parts.

In the other counts, the indictment alleges that in the summer and fall of 2007, Smith violated the Lacey Act by illegally selling part of the hide of a Steller Sea Lion to an undercover U.S. Fish and Wildlife Service (USFWS) agent for \$2,600, and, that in December 2007, Smith attempted to sell two sea otter hides for \$750 apiece to an undercover USFWS agent.

The maximum penalties for the crimes charged against Smith are up to five years imprisonment, a fine of \$250,000 and three years probation for each count. An arraignment date has not been set.

The investigation that led to the indictment of Mr. Smith is part of the same investigation that previously resulted in the plea of guilty and sentencing of Christopher Rowland, also of Craig, Alaska. Rowland pled guilty in federal court to the illegal hunting, killing, export and sale of sea otters, sea lions

and harbor seals and was sentenced in March 2009, to 37 months imprisonment. In the course of the investigation against Rowland, U.S. Fish and Wildlife Service agents documented the illegal take of approximately 75 sea otters, and the illegal sale of 6 sea otter pelts and several skulls. Two of the illegal takes were spring born pups, described by Rowland as “micro-babies.” Statements made by Rowland indicated plans to market 40-50 hides per month to a broker in Korea. Those sales would also have been illegal under the Marine Mammal Protection Act and the Lacey Act.

USFWS led the investigation which resulted in prosecution of Mr. Smith. That investigation and today’s prosecution benefitted significantly from the support of Alaska Wildlife Troopers, NOAA Fisheries’ Office of Law Enforcement, U. S. Forest Service, Immigration and Customs Enforcement, U.S. Marshals Service, the State of Alaska Attorney General’s Office, the Alaska Bureau of Alcohol and Drug Enforcement, and the U. S. Attorney’s Office.

The government’s investigation continues.

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